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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Fifth periodic report of States parties

Finland*

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THE FIFTH PERIODIC REPORT OF THE GOVERNMENT OF FINLAND ON THE IMPLEMENTATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

OCTOBER 2003

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Article 1

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
g) To repeal all national penal provisions which constitute discrimination against women.

1. Reform of fundamental rights

The new Constitution of Finland (731/1999) entered into force in the reporting period on 1 March 2003. The Constitution contains provisions on equality and a prohibition of discrimination which correspond to those included in the Constitution Act of 1919, as amended in the context of the overall reform of the provisions on fundamental rights in 1995. For more detailed information on the reform, see the third and fourth reports of the Government of Finland.

2. The Act on Equality

2.1. Proposal for the amendment of the Act on Equality

On 13 December 2000 the Ministry of Social Affairs and Health set up a Committee with the task of drafting a proposal for the amendment of the Act on Equality between Women and Men so that it

would comply with the amended EC Equality Directive (2002/73/EC). In the decision setting the Committee, the assignment was defined as follows: "It is the purpose of the Committee to amend and supplement the Act on Equality so that it will correspond to EC legislation and the decisions of the Court of Justice of the European Communities (hereinafter the "European Court") and that problems and defects that have appeared in the application practice of the Act are eliminated."

The task of the Committee was especially

1) To clarify and evaluate amendments to the Act on Equality as required especially by the provisions on equality in the Amsterdam Treaty and those required by decisions of the European Court; special attention had to be paid to the prerequisites of an efficient implementation of the burden of proof Directive and the functionality of the monitoring system.
2) To evaluate needs brought up by over 13 years of application of the Act on Equality with regard to provisions on working life, and also otherwise to promote sexual equality (including equality planning, positive special treatment and sexual harassment);
3) To figure out how the policy of mainstreaming equality and the related obligation are included as specific provisions in the Act;
4) To consider extending the competency of the Ombudsman for Equality (for example with the right to bring action) as well as the development of the role of the Council for Equality;
5) To evaluate and give grounds for any other need to amend the Act on Equality emerging during the work (for example relating to the provisions of the proposal for a Directive to amend the Equality Directive (76/207/EEC) and taking into account the results of an evaluation of the Act); and
6) To draft, on the basis of an evaluation of the previous points and the report, a Government Bill for the amendment of the Act on Equality.

The Committee submitted its report to the Minister in charge of equality issues on 11 November 2002 (Committee Report 2002:9). The report contains several provisions aiming at increasing the significance of the prohibitions of discrimination and at enhancing the efficiency of provisions aiming at equality. Under the proposed provisions, compensation could be ordered in certain discriminatory situations now regulated by the general prohibition of discrimination and not covered by the compensatory sanction. The definition of the parties to a service relationship would be extended, which would increase the scope of application of the discrimination ban in working life entitling to a compensation. The compensatory sanction would also be extended to certain discriminatory situations outside working life.

The Reform Committee of the Act on Equality proposes of a clarification of the provision on the duty of the employer to promote equality as well as of the provision on measures to promote equality. The proposals will direct the work to promote equality to certain topics central for the implementation of equality. Also a sanction system will be included in the Act for cases where this promotion obligation has been neglected.

The amendment of the Act on Equality is estimated to enter into force at the beginning of 2005.

The report was not unanimous and several dissenting opinions were presented. Several corrections and changes were also proposed in the opinions given on the report by various authorities and non-governmental organizations. For example women's organizations criticized the proposal of the Reform Committee of the Act on Equality, inter alia, because it proposed no improvements to make the supervision of the Act more efficient. They consider that, from the practical perspective, the supervision should not be concentrated to one authority; instead, its decentralization to the provincial and local levels in accordance with the model used in Sweden would be more efficient. Alternatively, the supervision of equality plans could be added to the statutory tasks of occupational safety authorities. According to the women's organizations, the competence of the Ombudsman for Equality should also be extended by giving the Ombudsman for Equality an independent right of action both on behalf of an individual worker and a group of workers. The resources of the Ombudsman for Equality should also be strengthened so that he could, in addition to supervision, give instructions and advice to support work-place-specific drafting of equality plans.

2.2. Administrative reform of equality issues

After the previous periodic report, the administration of equality issues has been reformed in Finland. At the beginning of May 2001, an organizational reform entered into force dividing equality issues into two units in the Ministry of Social Affairs and Health; in addition to the earlier Office of the Ombudsman for Equality, a new Gender Equality Unit was created (Appendix 1). The tasks of the Gender Equality Unit include, inter alia, the preparation of the equality policy of the Government, legislative drafting and European Union issues. The Unit is also the location of the Council of Equality with the aim of promoting social equality between women and men. It, inter alia, monitors the implementation of equality in society, makes initiatives and proposals and issues statements to develop legislation and other measures affecting equality.

The Ombudsman for Equality in turn continues his work as an independent supervisory authority in connection with the Ministry of Social Affairs and Health. The tasks of the Ombudsman for Equality include supervision of the Act on Equality and especially the discrimination bans of the Act as well as the promotion of the Act. In his statements the Ombudsman for Equality handles issues that have emerged in the supervision of the Act on Equality and other related issues. The number of statements has remained fairly stable annually. In 1999, a statement was requested in 156 cases, in 2000, in 174 cases and in 2001, in 175 cases. The majority of the requests relate to discrimination in working life. In 2001, 41.1 % of those requesting a statement were women, 44.6 % were men and 14.3 % were authorities, organizations and companies.

In the last few years the number of email contacts has increased and at present they exceed the number of requests for a statement. In addition, the majority of contacts take place over the telephone. Therefore the Office of the Ombudsman for Equality has aimed at shifting more and more of the focus of its work to giving advice over the telephone and by email in cases where this is possible due to the nature of the matter in order to speed up the handling. In cases requiring more thorough clarification and hearing of the parties, the matter is transferred to a statement procedure. In 2002, only 112 requests for statement became pending, but a total of 121 statements were issued.

Women's organizations have criticized the reform and considered that insufficient attention was paid, in connection with the reorganization of State equality work, to guaranteeing sufficient resources for the Ombudsman for Equality. They are worried about the amount of work in the Office of the Ombudsman for Equality and the way it affects the possibilities to respond to the requests for statement within the period laid down in the Act. Concerns have also been voiced on the sufficiency of the funding of the Council of Equality. The Council is an important channel for non-governmental organizations (NGOs) to influence equality policy. The contacts of the Council of Equality to the citizens bring significant expertise and an additional input to the work of all equality authorities and to the development of Finnish equality policy.

2.3. Other supervision of the implementation of the Act on Equality

The implementation of the Act on Equality is also supervised by the Chancellor of Justice and the Parliamentary Ombudsman who are, within their own competencies, in charge of the general supervision of legality as well as for the implementation of fundamental and human rights. However, both of these authorities receive fairly few complaints regarding gender discrimination because in these matters the citizens usually turn to the Ombudsman for Equality.

Among the issues that have been decided by the Parliamentary Ombudsman as part of legality supervision, two decisions should be mentioned, one of which related to two appointments at Turku District Police (cases nos. 1535/00 and 1536/00) and the other to the grounds for granting a municipal supplement to the home-care allowance of children in Tuusula municipality (case no. 1053/4/99). The Ombudsman for Equality transferred the latter case with his own statement to the office of the Parliamentary Ombudsman to ascertain whether the conditions for paying the municipal supplement determined by the municipality were in conflict with section 5 of the Constitution Act (the present section 6 of the Constitution). The Parliamentary Ombudsman deemed that the decision on the municipal supplement placed the applicants in different positions on the basis of their sex. The condition of the municipal supplement was against the Act on Equality and it also violated the principle of equality in section 6 of the Constitution. Due to the decision, the Municipal Council in question has later on amended the grounds for determining and granting the municipal supplement to eliminate the illegality. In his decision the Parliamentary Ombudsman also emphasized that the municipality is under an obligation, if the parents so want to, to arrange day-care also when one of the parents of the child is at home for example due to an illness, unemployment or the birth of another child. He also drew attention to the fact that it is the duty of the municipality to promote the implementation of equality when providing services.

Also the issue of appointment first referred to has been handled by the Office of the Ombudsman for Equality. In his decision, the Deputy Parliamentary Ombudsman joined the view of the Ombudsman for Equality and drew the attention of the Police Chief in the future to defects in the application notice and the appointment memorandum.

The Parliamentary Ombudsman issues an annual report to Parliament on his activities and on the state of the application of legislation and on defects noticed in legislation in accordance with section 109 (2) of the Constitution. In the report, the Parliamentary Ombudsman and the Deputy

Parliamentary Ombudsman concentrate on a topic or topics that have emerged in their activities. In his report for 2002, the Parliamentary Ombudsman discussed whether serious violations of fundamental and human rights take place in Finland. He drew attention to domestic violence, lack of housing, the children in the most difficult situations as well as to lack of intolerance and even discrimination directed against minorities. In addition, in 2002 the Parliamentary Ombudsman started meetings with different NGOs such as representatives of central human rights organizations, child welfare organizations, the refugee organizations of the Finnish Red Cross as well as organizations of the disabled and Romani organizations.

Together with the Parliamentary Ombudsman, the Chancellor of Justice is the highest supervisor of legality in Finland. The Chancellor of Justice supervises that the authorities comply with the law in force. The Chancellor of Justice also supervises the implementation of fundamental rights and human rights. A decision regarding the Act on Equality worth mentioning, which came up in the supervision carried out by the Chancellor of Justice, is a decision of the Substitute Deputy Chancellor of Justice (case no. 1067/1/00) and it involved the neglect of a university in giving a clarification complying with the Act on Equality. In addition, the Office of the Chancellor of Justice checks the lists of Government sessions in advance to make sure that the comparison of persons of the different sexes is appropriate in appointment matters and that no suspicions arise regarding the presumption of discrimination referred to in the Acton Equality.

3. The Ombudsman for Minorities as an authority preventing discrimination

The Ombudsman for Minorities started as an authority on 1 September 2001, when the Act (660/2001) and the Decree (661/2001) on the Ombudsman for Minorities entered into force. On that date, the earlier Office of the Aliens Ombudsman was terminated and the Act (446/1991) and Decree (447/1991) on the office repealed.

It is the task of the Ombudsman for Minorities to promote good ethnic relations as well as the position and rights of foreigners and those belonging to ethnic minorities in Finnish society, to monitor the implementation of equality, to supervise compliance with the discrimination ban against those of ethnic origin as well as to make initiatives, to inform, report and carry out the tasks assigned to the Ombudsman for Minorities in the Aliens Act (378/1991).

The Ombudsman for Minorities is an independent authority, who administratively works in the Ministry of Labour. The Ombudsman has an Office, whose personnel, inter alia, serves customers, arranges training, issues information and prepares statements and initiatives concerning issues related to minorities.

The scope of the Ombudsman for Minorities consists of both tasks that earlier belonged to the Aliens Ombudsman and of new tasks assigned to the Ombudsman for Minorities. What remained the same were his authority, his nature as an expert and, to some extent, as a legal protection authority as well as certain forms of operation such as giving advice to customers. However, his scope and tasks were considerably extended. The new customers include ethnic minorities and their members and his tasks were supplemented with the promotion of good ethnic relations.

The task of promoting good ethnic relations may involve both relations between minorities and those between minorities and ethnic Finns. The contents of the task are flexible. They may, inter alia, mean distributing information and viewpoints on the position and life of customers in public through interviews, writings and opinions as well as more individual advice and recommendations. The promotion of good ethnic relations may also mean the settlement of ethnic conflict situations and, more generally, the exercise of expertise in ethnic problem situations.

When this report is being written, the Ombudsman for Minorities has been working for slightly over eighteen months. At this point the tasks assigned to the Ombudsman for Minorities can be divided into four main areas, each of which contains ties to discrimination against women and its elimination:

a) Constructing the basic prerequisites for activities

In the internal organization of the office, one civil servant has the task of monitoring the position and rights of women who are foreigners or belong to ethnic minorities.

b) Advice to customers, guidance and assistance in issues relating to ethnic discrimination, proper treatment or the scope of the Aliens' Act

When giving advice and guidance to customers, the office always takes into account the sex of the customer and the possibility for any multiple discrimination.

c) General measures improving the position of foreigners and ethnic minorities

In 2002, the Office of the Ombudsman for Minorities participated in a working group which planned and published the brochure "Equality in Finland – Information for immigrants". The brochure contains basic information from different sectors of life. It also tells about the position of women and men in Finland and describes how Finnish society understands equality. The brochure was printed in eight languages and published in the web site of the Ministry of Labour in thirteen languages[1].

When the brochure was published, the Ombudsman for Minorities and the Ministry of Labour also arranged a seminar on equality in the everyday life of an immigrant family ("Samalla viivalla? Seminaari tasa-arvon ja yhdenvertaisuuden toteutumisesta maahanmuuttajaperheen arjessa").

In 2003, the Ombudsman for Minorities has participated in planning the extension of the project "Lyömätön Linja" operating in the city of Espoo[2]. The project aims at stopping and preventing violence among men who have resorted to violence in their relationships or family. The background organization is an association called Naisten Apu Espoossa ry and it is financed by the City of

[1] The brochure in English: http://www.mol.fi/migration/tasaeng.pdf.
[2] Project's site in English: http://www.saunalahti.fi/jsrn/engindex.htm.

Espoo and Finland's Slot Machine Association RAY. In 2003, the project has planned its extension to immigrant men, and the Ombudsman for Minorities has brought his expertise to this work.

d) Tasks laid down in the Aliens' Act and especially the preparation of statements to be given on asylum applications and proposals to deport aliens

The asylum statements issued by the Ombudsman for Minorities to the Directorate of Immigration also pay attention to the sex of the applicant as an independent ground for asylum.

Likewise, statements issued to the Directorate of Immigration on the deportation of individual foreigners take into account the perspective of women.

Article 3

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

1. The Government Programme

With regard to issues of equality, the Government Programme of the Government of the Prime Minister *Matti Vanhanen* (24 June 2003 -) is more comprehensive and tangible than the previous Government Programmes. It notes, inter alia, that the promotion of gender equality is the responsibility of the entire Government. The Government will draw up an action program to attain gender equality, and it will mainstream gender equality throughout public administration. The number of women involved in political and economic decision-making will be increased.

Equality issues will also be assessed from the male point-of-view. Men will be encouraged to take family leave and the costs incurred by employers from family leave will be shared more equitably, which can be said to be of significance for the possibility of women to enter the labour market and to stay there. The Government will also enhance the conditions for employment and entrepreneurship with respect to men and women for example by means of loans to women entrepreneurs. Together with the social partners, the Government will draft a program on equal pay and equality in working life aimed at eliminating unfounded differences in salary.

Resources will be allocated throughout the Government's term to preventing domestic violence and violence against women and to discouraging prostitution, and more money will be made available for services to help prostitutes and victims of violence, and the protection of victims of trafficking in women will be strengthened. The legal penalties for pandering offences will be tightened and the investigation methods improved, and also the criminalization of the purchase of sexual services will be considered. Convictions for domestic violence will be promoted by abolishing the clause allowing non-prosecution if the victim so insists.

With regard to foreign and security policy, the Government will support more effective functioning of the United Nations and other broad-based international co-operation structures with a view to enhancing democracy, respect for human rights, and the rule of law. The quality of development co-operation, which emphasizes poverty alleviation, equality and education, will be enhanced in order to bring about sustainable impacts on development.

With regard to labour policy, the Government Programme, inter alia, states that raising the employment rate will require solutions that help to reconcile work and family life. As a labour policy measure, the means test for labour market support will be made more flexible with regard to the earnings of spouses. In social and health policy, the social welfare program will rectify shortcomings in social services, such as in the services for children and families. With regard to the policy on families and children, the program, inter alia, states that stable family policy and a better reconciliation of work and family life have a favorable effect for example on the fact that there is no need to delay starting a family for financial or work-related reasons. The right of the parents to partial care leave will be expanded. The safety of the citizens is a basic right, and in order to reduce the level of violence in society, a comprehensive national program will be drawn up to combat violence, covering all key areas, and the means for intervening in cases of domestic violence will be strengthened.

2. National Action Programme to Implement Equality

The Finnish Government recommitted itself to the implementation of the UN Platform for Action at the Beijing + 5 special session of the UN General Assembly in June 2000. In the Beijing Platform for Action, the Government has committed itself to close co-operation between central institutions and non-governmental organizations when drafting the national implementation program. The Government has recorded the drawing up of a national action program to implement equality in its Government Programme. The responsibility for the drafting of the action program lies with the Ministry of Social Affairs and Health. The program will be completed in winter 2004. The implementation of the program will mainly take place in 2004-2007. One part of the action program is the reform of the Act on Equality, which will promote, inter alia, equality planning and equal pay. The Government Bill will be given in 2004.

The purpose is to introduce the method of mainstreaming equality in all State administration. The effects of gender will be assessed especially when enacting laws and preparing the budget. A pilot project on mainstreaming will be carried out in the administrative sector of the Ministry of Social Affairs and Health during 2003. Its extension to all State administration will be implemented in co-operation with the Ministry of Justice. The project to mainstream the budget will be carried out as an internal pilot project within the Ministry of Social Affairs and Health as well as together with the Ministry of Finance. According to an estimate of the Association of Finnish Local and Regional Authorities, the emphasis on equality issues will most likely mean a development of methods to evaluate gender effects also in the municipal sector.

3. The Gender Barometer

In 2001, the Council for Equality and Statistics Finland published the second Finnish Gender Barometer (appendix 2); the first one was published in 1998. The barometer uses evaluations, attitudes and the own experiences of men and women to study the division of work and power relations between the genders and their acceptability in the prevailing societal situation. A comparison of results from different times provides information on continuations and breaks in the mutual relations between the genders. The topics studied in the barometer broadly reflect the Finnish debate on gender equality.

The answers to the general question on equality were approximately the same in the 1998 and 2001 barometers. However, reactions to more detailed statements reflected changes in the attitude environment. What has become more general among both sexes is a view of the man as the one with primary responsibility for the support of the family.

A clear majority of men and women felt that men should increase their participation in the care and raising of their own children. The majority of working women and men considered that workplaces do not encourage men sufficiently to use childcare leave. In other words, Finns support a shared responsibility for the financial support of the family and for parenthood.

In the light of the interview of 2001 about the attitude of workplaces to the use of statutory family leave, it is much more difficult for the fathers to take a few months of parental leave than it is for the mothers to be on care leave until the child is three years old. The Barometer also indicates that women have become more critical regarding the implementation of equality at workplaces between 1998 and 2001.

The next Gender Barometer is scheduled to be published in 2004.

4. Projects promoting equality in municipal administration

In August 2003, the Association of Finnish Local and Regional Authorities initiated the pilot project "Budget SUVA" in the municipal sector. The pilot-stage measures of the project include increasing awareness of the significance of gender equality in the pilot projects, training those participating in the budgetary process, evaluating the budget (or part thereof) as well as correcting the budgetary items in question. The results of the project will be an action plan and a workshop for the gradual introduction of an evaluation of gender effects in the municipal budgetary process.

In the autumn 2003, the Association of Finnish Local and Regional Authorities will provide an Internet guide called "Kuntalaisten vaikuttamisopas" ("A Guide for Influence in Municipalities") on the rights and obligations of the residents of the municipality and their possibilities and channels of influence. The guide will also provide ideas and examples of good practices to implement equality.

The purpose of the project "Preventing discrimination on the local level", to be implemented by the Ministry of Labour and the Association of Finnish Local and Regional Authorities in 2002-2004, is

to promote a dialogue between groups experiencing discrimination and local authorities and to develop joint mechanisms to identify, prevent and oppose discrimination. The aim is also to plan, test and distribute good practices and examples in locality-specific subprojects. The project is financed by the European Union.

Article 4

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

1. The quota provision of the Act on Equality

According to section 4 (2) of the Act on Equality (17.2.1995/206), State committees, commissions, advisory boards and other corresponding bodies as well as municipal bodies with the exception of municipal councils have to have a minimum of at least 40 percent of women and men unless specific reasons demand otherwise.

The quota provision has increased the participation of women in decision-making on the municipal level. In the 2000 municipal election, the share of women was 38.2 % of the candidates and 34.4 % of the representatives elected. However, according to information updated in January 2002, only 21.9 % of the chairpersons (and deputy chairpersons) of municipal councils, 29.4 % of the chairpersons (and deputy chairpersons) of municipal executive boards and 24.4 % of the chairpersons of other municipal boards were women. In 2002, 47 % of the members of municipal boards were women. Measures have been launched to increase the share of women in the municipal elections in autumn 2004.

The proposal of the committee studying the reform of the Act on Equality proposes that the 40-percent quota provision be extended to also apply to inter-municipal co-operation bodies.

Also the Synod of the Evangelical Lutheran Church of Finland has accepted gender quotas for the administrative and other bodies of the church and the parishes. The purpose is for the decision of the Synod to enter into force on 1 January 2004. The quota principle will apply, inter alia, to parochial councils, parish boards, councils, committees and working groups. On the level of parishes, the quota principle will not apply to administrative bodies elected in parish elections, i.e., parochial councils and parish boards. The other ecclesiastical bodies outside the quota principle are the Synod, the Episcopal conference, the cathedral chapter and the diocesan chapter. After the reform, the Act on Equality will in its entirety be applied in the administration of the church except in issues relating to practicing religion.

The share of women in the church personnel has increased in nearly all tasks. In 2002, 69 % of persons working in pastoral work were women. The share of women in real estate and other service work was 66 %. The women also formed a majority in cemetery maintenance as well as in administrative and office work.

The quota provision of section 4 (3) of the Act on Equality relating to State and municipal bodies has increased the share of women in committees. The provision on the equal representation of women and men in the managerial and administrative bodies of offices and agencies as well as elected bodies of municipalities or State-owned companies has increased the number of women also in the executive bodies of offices and agencies. However, the share of women in the management of different types of companies is still very low. According to a notification issued by the Ministry of Trade and Industry to the Reform Committee of the Act on Equality, the aim is to rectify the prevailing situation with regard to State-owned companies and State associate companies by means of a three-year Plan of Action for the Promotion of Gender Equality, on the implementation of which the Ministers in charge of the management of these companies will report to the Ombudsman for Equality annually.

According to the Government Project Register, in 2003 the share of women among the members of committees, commissions, advisory and other boards set by the Ministries and the Government Office was 43 %, which met the quota provision.

Article 5

States Parties shall take all appropriate measures:
a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;
b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

1. Violence against women

1.1. Project to prevent violence against women

After the previous report, the CEDAW Committee was concerned about the high incidence of violence against women in Finland. The situation has hardly improved after the previous report. The Government recognizes the seriousness of the problem and aims by all means to bring about a decrease in violence against women.

Finland has completed an extensive five-year action plan directed at the prevention of violence and prostitution. The project related to all violence against women both in private life and in the public sector. Attention was also paid to sexual harassment at workplaces. It was the purpose of the project

to make all violence against women and girls transparent, to strengthen attitudes against violence, to decrease the amount of violence as well as to promote and enhance services directed at the victims and wrongdoers. The project was divided into two subprojects: the prevention program of violence against women and the project to combat prostitution. The projects had a joint Executive Board chaired by the Minister of Health and Social Services.

The project was administered by the Ministry of Social Affairs and Health and it was executed by the National Research and Development Centre for Welfare and Health (Stakes). The project co-ordinated preventive activities against women and violence in the family and promoted co-operation with the authorities, organizations, institutions and projects in the field. It also actively distributed information on the matter, arranged training to professionals of different sectors (inter alia the police) and developed different working methods. The project also promoted international co-operation and an exchange of working methods found good and experiences as well as networks especially in the territory of the European Union. The project consisted of twelve regional groups co-ordinating and implementing local training and information. The project included seven divisions concentrating on different partial areas with an aim, inter alia, to develop a service network and to provide teaching material and guides on violence against women and domestic violence.

In the year 2001, the Ministry of Social Affairs and Health further set up a working group studying violence and sexual abuse and directing care. As a result of the work, in spring 2003 Stakes published a guide for social welfare and health authorities and for the police on the identification and investigation of violence against children and sexual abuse[3]. The guide gives tangible instructions to study suspicions of violence and sexual abuse against children.

Also the church has strongly and visibly participated in prevention campaigns and actions relating to violence against women. These campaigns have included, inter alia, the Ecumenical Decade of the World Council of Churches "Churches in support of women" as well as the decade "From violence to settlement" going on at present.

In its Programme on 24 June 2003, the Government brought up the prevention of violence in relationships and against women as well as the prevention of prostitution from two viewpoints; as an issue of gender equality and as a phenomenon weakening the safety of citizens.

During its operating term, the Government has undertaken to direct resources to increase support services for the victims of abuse and trafficking in women as well as prostitutes. A joint program of various administrative sectors has already been started to increase the security of citizens and to reduce violence. Relating to this, also means to intervene in domestic violence will be enhanced. The Government promises to safeguard the operating prerequisites of victims of crime and the availability of other crisis help throughout the country.

[3] Sirpa Taskinen (ed.): Ascertaining sexual abuse of and violence against children. Expert group recommendations to the personnel of social and health care.

In the years 2004-2007 the Ministry of Social Affairs and Health is preparing a national program to prevent violence against women and domestic violence as well as to develop services for both the victims and wrongdoers and the family members.

It is the purpose of the program

- to determine the strategic focuses of violence in close relationships;
- to determine practical measures to help the victims of violence and the wrongdoers as well as family members;
- to improve the position of victims of violence;
- to clarify the roles and responsibilities of different actors in the work to help victims and wrongdoers of close-relationship violence;
- to create a nationally comprehensive network of basic and special services in work against violence on the local and regional levels;
- to enhance training relating to violence issues to all the appropriate professionals;
- to support the actions of NGOs and voluntaries to decrease violence and to assist the victims and the wrongdoers;
- to promote the changing of social and cultural behavior models in a non-violent direction; and
- to promote the implementation of international treaties relating to human rights and equality in Finland.

The program will raise violence against women and domestic violence to the list of societal problems. The implementation of the program will primarily be the duty of the administrative field of the Ministries of Justice, Education, Transport and Communications, the Interior as well as of the Ministry of Social Affairs and Health.

In order to implement the goals set, the program defines the mutual distribution of work and responsibility of the appropriate administrative fields and other actors on the national, regional and local levels. A national monitoring and evaluation group will be set to monitor the implementation of the program. At the end of the Government term it will evaluate the success and make proposals for measures for the next Government term.

The implementation of the program will require financial resources. In the different administrative areas, sufficient economic resources will be reserved for preventive action against violence, the development and implementation of services to victims and wrongdoers, the development of the criminal sanction system as well as for the training of personnel dealing with violence issues as well as also for the development of research and a monitoring system. The expertise necessary to handle this topic area will be increased in all the administrative sectors in question.

Information on the contents will be distributed by publishing the program in printed form and in the Internet. A brochure will be drafted of the program and distributed at different service points. During 2004, regional seminars will be arranged presenting the contents of the program and the measures required by it to representatives of different administrative fields and organizations. The debate relating to violence against women will be enhanced in co-operation with the media.

1.2. Research on violence directed at the women

Violence against women has been studied in co-operation projects between Statistics Finland and the Council for Equality in three statistical reports, the first of which, published in 1998, addressed the frequency of violence[4]. The study was reported on in the previous periodical report.

The second study was called "The Price of Violence. The costs of men's violence against women in Finland", which was carried out in 2000 and published in Finnish and in English[5]. The study shows that violence against women resulted in direct costs of EUR 49 million to society in 1998. Indirectly violence resulted in even double that amount of costs. The costs were studied with regard to health care, social welfare services and the legal system. The highest costs resulted from legal proceedings: EUR 26.3 million, the share of police activities of which was 6 million, the actual litigation 6.5 million and the costs of keeping the perpetrators in prison 13.7 million.

The costs of social welfare services were studied with regard to safe houses, crisis services, social welfare services and different therapies. The provision of these services to women who had suffered from violence resulted in costs of EUR 14.7 million. Attending to the physical damage of violence resulted in costs of EUR 3.3 million to the health sector from visits to the doctor and the hospital. Approximately an equal sum resulted from medication used due to violence.

Violence against women also results in indirect costs in the form of lost lives, weakened welfare and a loss of production input. These calculations are always based on estimates. The estimated indirect costs are EUR 60-110 million. The figures above only contain a part of the actual costs. An exact comparison of the costs is not possible on the basis of the research referred to. The conclusions of the research recommended the clarification of the costs in a small area, on the municipal level.

The third study was "The costs of violence in a municipality. A case study of violence against women and its costs in the City of Hämeenlinna 2001, based on estimates provided by authority representatives" (Appendix 3). The majority of violence against women investigated takes place among couples. One of the results of the study was that the actions of the authorities in the municipality are sector-specific. The viewpoint of the sector affects the type of violence that emerges and the type of problems that are paid attention to when meeting the customer.

By joint financing, the National Research Institute of Legal Policy and Statistics Finland also carried out a study of rape and attempted rape reported to the police[6]. According to the study, rape committed by an unknown person is relatively rare among the cases reported to the police. Equally often the rape has taken place in a so-called getting-to-know-each-other situation. In addition, in

[4] Markku Heiskanen - Minna Piispa: Usko, toivo, hakkaus ("Faith, Hope, Battering"), published in 1998.

[5] Markku Heiskanen - Minna Piispa: The Price of Violence. The costs of men's violence against women in Finland, published in 2001.

[6] Päivi Honkatukia: "Ilmoitti tulleensa raiskatuksi". Tutkimus poliisin tietoon vuonna 1998 tulleista raiskausrikoksista. ("Reported being raped. A study of rape crimes reported to the police in 1998.") Published in 2001.

some of the cases the perpetrator and the victim have known each other. Also cases of rape committed among a couple are reported to the police. Most of sexual violence remains hidden and does not therefore become known to the police. This is especially the case when the perpetrator and the victim know each other. According to Statistics Finland, rape cases reported to the police in 2002 amounted to 550.

1.3. Legislation concerning restraining orders

The Act on the Restraining Order (898/1998), which entered into force at the beginning of 1999, has proved a necessary means to protect persons under the threat of a crime or harassment. In 1999, a total of 999 restraining orders were issued. In 2000, the number of restraining orders issued was 1219, in 2001 slightly less than in the previous year, 1154, and in 2002, more than in the previous years, with the total of 1327.

The Ministry of Justice has prepared a Government Bill (HE 144/2003) to amend the Act on the Restraining Order. The Government Bill was given to Parliament in autumn 2003. The Proposal suggests the supplementation of the Act so that it would also be applied when the person protected by the order and the person on whom the restraining order has been imposed live in the same household. Provisions on a so-called inside-the-family restraining order are proposed to be added to the Act. The purpose of the provisions is to prevent domestic violence. A restraining order inside the family could probably in advance protect a cohabitant from being subjected to a violent crime.

A person imposed an inside-the-family restraining order should leave the residence, where he/she and the person protected by the order are living together, and he/she could not contact the person protected. The order could also be given extended to cover presence in a certain other place. The imposition of an inside-the-family restraining order would require a threat of a crime directed at one's life, health or liberty. An inside-the-family restraining order could be imposed for a maximum of three months. Issues relating to restraining orders within the family should be handled urgently.

The provisions on an ordinary restraining order in the present Act are proposed to be amended so as to emphasize the duty of a civil servant entitled to make an arrest to undertake measures immediately to impose an interim restraining order. The proposal also suggests that when the order is renewed, the restraining order could be imposed for a maximum of two years, instead of one year as under the existing provisions.

1.4. Improving the position of victims of crime

The victims of crime task force set by the Ministry of Justice submitted its report on 19 June 2001. The task force made proposals on how to improve the position of a victim of crime in practice. On the basis of the proposals of the task force, inter alia, a guide brochure has been drafted for victims of crime and translated into several languages.

The amendment of the Code of Procedure entered into force at the beginning of October 2003 (360/2003) and it improves the protection of witnesses, injured parties and others heard at trial. The

Act now includes provisions on the possibility to hear a person for the purpose of giving testimony at the main trial without a party or the public present or through a video conference.

A witness or another person, for example the victim of a crime, can be heard at trial without the presence of the other party if this is necessary to protect the witness or a person close to him from a threat to life or health. Also a person disturbing the hearing of the witness can be removed from the trial for the duration of the testimony.

On the other hand, a witness can be heard so that he is not personally present at trial. The technical aids may include a video conference or other technical method of data transmission, in which the parties can hear and see each other. The procedure can be used to protect a witness and a person close to him and also otherwise if the personal presence of the witness is not necessary. A witness can be heard over the telephone if he is, for example due to an illness, prevented from arriving at the trial or if the reliability of the testimony of the witness can be evaluated even without his presence.

Hearing a witness without a party present or through a technical means is always at the discretion of the court. Still, the main rule is that the parties and the witness are simultaneously present at the trial. If this is derogated from, the parties will have to be guaranteed the right to present questions to the witness.

Section 2 of the Decree on Pre-trial Investigation and Coercive Measures (575/1988) has been supplemented by a new second paragraph relating to the transfer of a police report (288/2002). When an injured party notifies the police or another pre-trial investigation authority of a crime committed in the territory of another Member State of the European Union, the report by the injured party and his demands have to be submitted to the competent authority of the Member State in whose territory the crime has been committed if the crime is serious or if the injured party has not been able to report it in the territory of the place where the crime took place.

Finland has also conducted extensive national studies into victims in 1980, 1988, 1993, 1997 and 2003. The study on female victims, on which the 1998 publication "Faith, Hope, Battering" was based, is so far the only one of its kind. Studies on victims contain gender-specific information on becoming victims to violence, traffic accidents, occupational accidents, accidents at home as well as on traffic and other accidents.

1.5. Domestic violence

The majority of violence against women takes place inside families and in close relationships. According to the latest studies, every fifth woman has experienced violence or a threat of violence in her relationship with her spouse but only about one in ten of them has reported it to the police. No great changes have taken place in the amount of domestic violence in 1998-2003. In 2002, the number of these events was 2,500 while the total number of solved crimes of violence reported to the police was 28,000 according to Statistics Finland.

Annually the police gets about 50,000 emergency calls to a home. In about 43,000 cases a police patrol is sent to the scene. Of these about 15,000 cases involve domestic violence, which is violence between present or former family members living in the same residence. The majority of domestic violence is violence between spouses or cohabitants. Only part of the emergency calls obtained by the police are ascertained and entered in the statistics as crimes.

The highest police management has set a guidance group to prevent domestic violence with the task of developing professional training of the police, workplace training, research and local police activities forming part of crime prevention as well as information. The guidance group also co-ordinates preventive work against domestic violence. The Police Action Programme for the Prevention of Domestic Violence has been completed and its implementation has started. The central key areas are the basic training of policemen, workplace training and further training. One focal point also includes co-operation between different authorities and voluntary organizations. The highest police management has determined local police operations as one of the focal points of the Police Performance Plan (2003/2006). A separate theme for the years 2003 and 2004 is the prevention of domestic violence.

The Government Bill on the Restraining Order (HE 144/2003) proposes an amendment to the Penal Code to repeal the provision of chapter 21, section 17 of the Penal Code on the non-prosecution of assault. The purpose is for the amendment to enter into force at the same time as the amendment of the Act on the Restraining Order. Even though assault has since 1 September 1995 been subject to public prosecution, the provision in question has, especially with regard to domestic violence, resulted in more charges not being brought than was meant. According to the provision, if the injured party of an assault crime requests of her own free will that no charges be brought, the public prosecutor has the right not to press charges unless an important public or private interest requires that the charges be brought. After the Prosecutor-General issued instructions on 20 January 2000 on not bringing charges in cases of assault, the number of cases where charges have not been brought based on the request of the injured party has decreased. What has, however, continued to be a problem in the application of the provision is, inter alia, the fact that in practice it is very difficult for the prosecutor to ascertain whether the party has presented the request voluntarily and without pressure.

The purpose for repealing the provision on not bringing charges for assault is to improve the criminal law protection of assault victims by decreasing the possibilities of the suspects to prevent the bringing of charges. The repealing of the provision would promote bringing those guilty of assault to criminal law liability and it is hoped to decrease the pressure against victims of crime. The amendments proposed to the Penal Code and the Act on Restraining Order indicate that the attitude of society to domestic violence is negative and that society considers domestic violence a serious problem that has to be interfered with.

NGOs have also been concerned about violence directed at women after a divorce. Often assaults and violent behavior continue even after a divorce and the former spouse may be subjected to threats, stalking or other harassment. There are no extensive research results on the topic, and violence after a divorce may often remain hidden.

2. Minority groups

2.1. Introduction

In its statement issued on the basis of the third and fourth periodic reports of Finland, the CEDAW Committee has voiced its concern at the continuing discrimination against immigrant and minority women living in Finland and the multiple discrimination suffered by certain minority groups. The Committee has urged the Government to undertake effective measures to eliminate discrimination against minority group women and to strengthen its efforts to combat xenophobia and racism in Finland.

The Government has been implementing its Action Plan against Racism and Discrimination for several years. The Action Plan was prepared by extensive co-operation, and information on it was distributed comprehensively both nationwide and regionally, inter alia, at seminars, through publications and in the Internet. Like the Community Action Programme to combat discrimination, also this program has been implemented by means of national and international projects partly financed also by the European Commission.

In autumn 2003 the Government gave Parliament a Bill for an Act on Safeguarding Equality (HE 44/2003), the purpose of which is to prevent all forms of discrimination due to race or ethnic origin. The special aim of the Act is to interfere in multiple discrimination. The Act will be examined in more detail in connection with Article 11 below.

One of the central themes in the implementation of non-discrimination projects has been the identification of multiple discrimination and influencing it. The practical activities have included training, testing of methods and creation of models, the forming of networks and co-operation structures as well as information through publications, the Internet and co-operation with the media. The projects have employed both immigrant and Roma women.

Non-discrimination projects have been implemented in co-operation between four different Ministries, organizations and equality bodies (the Advisory Board for Ethnic Relations ETNO and the Advisory Board for Romani Affairs). In the examination of accumulation of discrimination, attention has been paid not only to discrimination against ethnic minorities, but also to the situation of the disabled, women belonging to sexual minorities and those subject to discrimination on the basis of their religion and to the situation of elderly women.

Together with the other Ministries and representatives of groups facing discrimination on different bases, the Ministry of Labour has been implementing information and training projects against discrimination since 2001. The purpose of the projects has been the prevention of all forms of discrimination, the training of authorities to identify and prevent discrimination as well as to interfere in it. The projects have also been used to empower groups subjected to discrimination to anti-discrimination work as well as to increase their awareness of their rights. The projects have been directed in a very comprehensive way at different forms of discrimination, including the mutual equality of the genders and multiple discrimination. The actions of the program have

included training contact persons from the labour administration in ethnic discrimination and especially in issues relating to the Roma people, implementation of workplace training and a pilot training program for employers.

2.2. Immigrant women

The citizens of other countries make up a very small portion of the Finnish population, two percent in 2002. In Finland there were 103,682 foreign citizens, 51,985 of whom were women. About three-fourths of the foreigners were of working age. The age and gender distributions vary by nationality. A female majority existed, inter alia, among those from Thailand, the Philippines, Russia and Estonia.

The task of the Advisory Board for Ethnic Relations (ETNO) set up by the Government in 2001 is particularly the promotion of good ethnic relations as well as the prevention of racism and ethnic discrimination. The Advisory Board works in different non-discrimination projects in co-operation with representatives of the State, regional administration, the third sector and equality bodies by participating and arranging discussion events and seminars and by participating in joint publication projects.

In its 2001-2003 term, the Advisory Board set up three permanent divisions, whose tasks were the position of immigrant women and families, racism and ethnic relations as well as equal versatile working life. In 2002, the division concentrating on issues of immigrant women and families arranged, in different parts of the country, discussion workshops on the situation of immigrant women and their position in Finnish society. As a continuation of the workshops, in September 2003 the division arranged a national forum, where researchers, immigrant women and associations working with them as well as the authorities aimed at finding tangible action proposals to improve the position of women and to combat and prevent their discrimination.

Also two permanent working groups have been appointed in connection with ETNO; the first of them concentrates on research in the Russian-speaking part of the population in Finland and in mapping their situation and the other on monitoring the functioning of the Act on the Integration of Immigrants and Reception of Asylum Seekers (Act on the Integration of Immigrants and Reception of Asylum Seekers; 493/1999; hereinafter the "Integration Act").

As part of its multicultural project, the Central Union for Child Welfare has examined the opinions of immigration work experts in the largest municipalities on the integration of families with children[7]. The municipal workers saw as the biggest drawback of the Integration Act the fact that it does not obligate the municipalities to support the integration of immigrants left outside the labour force nor to draft integration plans. In immigrant families the unemployed job seeker, at whom integration measures are directed, is mostly the father. The mother often stays at home taking care of the children while courses and work are arranged for the father. According to the report, immigrant

[7] Sinikka Ikäläinen — Taina Martiskainen — Maritta Törrönen: Mangopuun juurelta kuusen katveeseen — asiakkaana maahanmuuttajaperhe. Published in 2003.

women are more weakly integrated into society than men. Even mothers who have been in the country for ten years may have a poor knowledge of Finland's national languages and of Finnish society. There are numerous single mothers among immigrants. Single parenthood is a special risk in families where the guardian lives at home with many children, secluded and unable to speak to the local language.

In autumn 2002 the Government gave an account on the implementation of the Integration Act (Report of the Government 5/2002). It brought out several drawbacks relating to integration and presented several dozen development proposals. The report proposed better guidance and co-ordination of integration as well as a better division of labour both on the level of the municipalities and also State administration. Some of the development proposals related to supporting the integration of immigrant women and taking their needs better into account in the development of support measures and services. The implementation has already been started with regard to some proposals and other proposals have resulted in legislative development projects.

Action against discrimination is also implemented through information and attitude training. The Advisory Board for Ethnic Relations appointed ten Good Will Ambassadors, with the help of whom issues of discrimination can be brought into everyday life to bring about an atmosphere that opposes discrimination and racism. By means of the ambassadors it is possible to bring issues of discrimination up in different public events, educational institutions and in the media. All the ambassadors are well-known people; six of them are women and two ambassadors have ethnic backgrounds.

ETNO has paid attention to traditions and practices still prevailing in some ethnic societies, which are in conflict with the rule of law and human rights, such as the circumcision of girls, compulsory and arranged marriages as well as prevention of participation in the functions of civil society and in education. It aims at preventing and eliminating these drawbacks through information, but the purpose is also to make this work more tangible. This involves, inter alia, the activities of ETNO to prevent domestic violence and to take the needs of immigrant women into account in arranging shelters and safe houses.

The League of Human Rights has been implementing the "KokoNainen" project to prevent the circumcision of girls and to take care of and to rehabilitate those circumcised. The purpose of the project has been to prevent the circumcision of women in advance and to improve the status of health of women and girls in ethnic groups which practice the tradition of circumcising women in their home countries. Another purpose has been to increase the knowledge and skills of health-care personnel in the prevention of the circumcision of women and to take care of them as well as to influence the attitudes of immigrants through grassroots work. The Finnish Red Cross in turn implemented the "Hawo Tako" project in 2002, aiming at a community approach to circumcision. The project, inter alia, produced a Somali-language cartoon on the topic.

NGOs also give advice over the telephone and in person to support immigrant women subjected to violence. For example the association called Monika Women helps immigrant women and children subjected to mental or physical violence and carries out preventive work to eliminate violence and

the threat of violence from close relationships and the family. The association has studied violence directed at immigrant women and children and set up a resource center with 24-hour telephone service, information directed at immigrant women, legal counselling and support persons as well as established and supported self-help groups.

The association Naisten Linja ("Women's Line") maintains a nationwide telephone service providing guidance and support to any women and girls experiencing violence or the threat of violence. The association also aims at responding to the needs of women representing linguistic and cultural minorities and at offering services in the native languages of immigrants.

Also the municipal level has carried out measures to increase awareness in issues relating to discrimination. The Association of Finnish Local and Regional Authorities launched in 2002 a project called "Monitoring EU decision-making in social, health, immigration and crime prevention issues" to develop good municipal practices especially in issues relating to refugees and immigrants. The project will produce a publication introducing questions and goals of EU social and health policy as well as the central European interest organizations.

In addition, municipal youth work and immigration work have arranged special activities for girls. For example in Helsinki the City Youth Centre has, in co-operation with youth organizations, implemented the project called "Tyttöjen Talo" ("The House of Girls"), aiming at arranging activities especially for immigrant girls. According to the experiences gained from the project, specialized activities meant for girls lowered the participation threshold of immigrant girls.

In February 2002, the so-called RASMUS network was established in Finland to fight racism and fear of aliens; it gathers together representatives from NGOs, religious organizations, labour market organizations, research communities, minorities and immigrants as well as private persons. The network has several subgroups and regional groups, one of which is an unofficial subgroup "Rasmus women". The group aims at improving the vulnerable position of minority and immigrant women and to increase their participation in decision-making regarding themselves. Among others the Directorate of Immigration participates in the work of this subgroup.

2.3. Refugee women

In the asylum procedure, an asylum seeker that has reached the age of consent is registered and treated as an independent asylum seeker with the practice prevailing in Finland. Thus, Finland does not consider that only the so-called head of the family, often the man, is an asylum seeker, but each asylum seeker has the same procedural rights. In connection with the Asylum Procedure Directive being prepared in the European Union, Finland has aimed at bringing forth its perspective on the treatment of women as independent asylum seekers regarding both acceptance to the asylum procedure and the related procedural rights.

In Finland, the starting point is that every person of the age of consent has the right to a personal interview in connection with the asylum procedure. The interviews are carried out either by the Directorate of Immigration or the police. The authorities are bound by a secrecy obligation in

asylum matters, and each married or common-law spouse seeking asylum has to be heard separately. In accordance with the European Council Resolution on minimum guarantees for asylum procedures, Finland aims, where necessary, at having the application for asylum processed by a competent female officer or at using a female interpreter, in particular, where it would otherwise be difficult for a female asylum seeker to present all grounds for her application due to traumatic experiences or reasons relating to her own cultural background. A separate decision is also made and registered regarding each asylum seeker although the decision is, for practical reasons, usually written on the same sheet for each family entity.

In discussions with the UNHCR, Finland has also aimed at emphasizing that the Resettlement registration forms used in the quota procedure of the UNHCR should have information on all the family members, not only on the so-called main applicant. It is important to obtain information on all family members both for the unity of the family and to make sure that the grounds for persecution presented by women are taken into account.

During the reporting period several asylum applications have been filed in Finland in which international protection has been sought the basis of persecution based on gender, for example because of domestic or sexual violence. So far no asylum has been granted on the basis of gender-related persecution. Matters are pending in appellate courts where the legal issue relates to the gender-related persecution. However, no decisions have been issued yet.

In 2003, the Government Bill on a new Aliens' Act was given to Parliament (HE 28/2003). It also introduces the possibility separately to take into account gender-related persecution directed at women. The Bill notes as follows: "In some cases a woman may also be persecuted for a reason that cannot be deemed to be based on race, religion, nationality or political opinions. In this case the reason for the persecution can be deemed membership in a certain social group."

Within the annual quota Finland accepts as refugees so-called *women at risk*, i.e., women subjected to violence or torture or otherwise in a vulnerable position due to their gender. Finland has no separate quota for special groups; people belonging to these groups are admitted to Finland within the ordinary quota. In the last few years the biggest number of *women at risk* cases admitted to Finland have been Afghan women. Often the background of *women at risk* is a situation where the woman lacks the necessary support network or faces a threat from her own family and where the social system cannot provide her sufficient protection. Municipalities have implemented rehabilitation and special support projects for these women.

2.4. Sámi women

Sámi people are the only indigenous people in Finland. As an indigenous people, the Sámi have the right to their own language and culture under section 17 of the Constitution, and to cultural autonomy in the Sámi homeland under section 121 (4). The Constitution understands Sámi culture as a form of culture with its traditional livelihoods such as reindeer herding, fishing and hunting. The number of the Sámi population is continuously decreasing in the Sámi homeland as Sámi people move to live outside the area.

In a Sámi community the position of Sámi women has traditionally been strong. However, in present society a Sámi woman has to face new kinds of challenges for example when attending to tasks as an elected representative. The elimination of discrimination of Sámi women relates to the economic, cultural and linguistic position of the families and the provision of social welfare and health services in the Sámi homeland. These things in turn affect the possibilities of the women to participate in education, working life and social decision-making.

In some cases Sámi women may be in a position different from the majority population for example in the case of maternity and child clinic services, because these services are not always available in the Sámi language or because the Sámi cultural background is not specifically taken into account in their provision. The availability of services is also affected by long geographical distances. The distance from the Sámi homeland for example to a hospital maternity ward may be 300-500 kilometers.

The role of a Sámi mother includes the transmission and strengthening of Sámi identity and the Sámi language and culture to her child. This affects the possibilities of women to participate in working life. In this respect, the availability of day care in the Sámi language for the children may also be a problem. According to the Sámi Parliament, in situations where Sámi-language day care is not available for a child, a Sámi woman may have to choose between economic factors and a Sámi identity. For financial reasons, a Sámi woman does not always have a real choice because the level of earnings of Sámi reindeer herders is quite low, which requires that both spouses participate in gainful employment.

The Sámi Parliament also criticizes the fact that the municipalities of the Sámi area do not arrange sufficient services in Sámi directed at children and the young. This means that the strengthening of the Sámi identity has been more and more the responsibility of the parents alone. Outside the Sámi homeland, Sámi families may experience this problem even more acutely.

The possibilities of Sámi women to obtain education in their native language are more restricted than those of the majority population. This affects their possibilities for further training and jobs. The places for further training are also located far away from the Sámi homeland and so education requires at least a temporary move away from the area.

The purpose is to replace the Act on the Use of the Sámi Language before the Authorities (516/1991) by the new Sámi Language Act, which will enter into force on 1 January 2004. It is the purpose of the new Act to rectify the defects found in the implementation of the Act in force. The Government Bill on the matter (HE 46/2003) was given to Parliament in September 2003. The new Act would, in the way required by the Constitution and international treaties binding on Finland, guarantee the right of the Sámi people to maintain and develop their own language and culture and to use their own variety of the Sámi language – Inari Sámi, Skolt Sámi or North Sámi – in a court of law and before other authorities.

The Act would obligate not only the State and municipal authorities in the Sámi homeland, but also certain authorities significant to the legal security of the citizen outside this area. The scope of

application of the Act would cover also the Skolt Village Assembly, the Ombudsman for Minorities and the Reindeer Herder's Association. The Act would also obligate State business enterprises and, under certain conditions, also others than authorities who, under assignment from an authority, provide services in the Sámi homeland. According to the Act, the authorities would have to ensure the safeguarding of linguistic rights at their own initiative.

In communicating with State and municipal authorities located in the Sámi homeland, a Sámi person would, depending on his choice, have the right to use either Finnish or Sámi. These authorities would have an obligation to promote the use of Sámi in their activities. They should also use Sámi in written communications sent to a party or to one entitled, under the law, to be notified of a matter that is or will become pending. When engaging personnel, State and municipal authorities operating in the Sámi homeland would have to ensure that the personnel in each office in the homeland is able to serve the customers also in Sámi. Sámi Parliament would have an obligation to monitor the application of the Act and, where necessary, to issue recommendations and make initiatives.

2.5. Roma women

Section 17 (3) of the new Constitution, which entered into force in 2000, provides for the right of the Roma people to maintain and promote their own language and culture. The same right was also included in special legislation concerning social, health-care, education and prison administration. The legal position of the Roma people was also strengthened by the equality clause in section 6 of the Constitution. The right of minorities is also strengthened within the European Union framework by Article 13 of the Treaty of Amsterdam and the so-called Discrimination Directive of the European Community (Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin).

Discrimination problems faced by Roma women are most often related to discrimination in the labour markets and to the availability of private services. Especially the national dress of Roma women may result in discrimination. On the other hand, Roma women are more aware of their own rights than earlier and they bring action for discrimination more often. Annually the courts of first instance handle about 20 cases of discrimination relating to the Roma people. With regard to employment, the primary problems are discrimination and prejudices as well as the low educational level of the Roma people.

In 2000-2002 the "Finitiko romako" project financed by the European Social Fund supported the employment and vocational training of Roma people by finding the students individual training places in the general education system and by supporting their employment. In addition, special guidance and instruction courses for employment were arranged for the Roma people. The interim aim of the project was to raise their educational level and to decrease prejudices between the Roma people and the majority population. On the individual level, the goal was to increase the control of the Roma over their own life and to increase their motivation and ability equally to function in society. The project helped dozens of Roma to get jobs and/or to participate in adult education. The project was carried out in adult educational institutions and in regional Employment and Economic

Development Centres so that the experiences and skills gained during the project in employing the Roma people remain available for the parties in charge of their employment and adult education.

At the initiative of the Ombudsman for Minorities, the Ministry of Labour has launched a study into the development of employment services for the Roma people in labour administration. The evaluation of the need for the study and the planning of its first stages has also been sent for comments to the Advisory Board for Romani Affairs, the co-operation authority between the Roma people and the authorities. The planning continues with other authorities.

According to the Advisory Board for Romani Affairs, prevention of the discrimination of Roma women requires more information on the discrimination ban both to the personnel of public administration and to private service providers. Overcoming prejudices against the Roma is one of the most central challenges in the elimination of discrimination. The Advisory Board also proposes harder consequences to people sentenced for discrimination to enforce the sanction.

The unemployment of Roma people is higher than that of the majority population. According to the Advisory Board for Romani Affairs, the situation is rather a result of attitudes and the usually low educational background of the Roma than the overall economic and employment situation. However, the employment situation of Roma women has, in the last few years, developed favorably especially as young women and girls have made a greater input in further and adult education. Roma women have been especially interested in the social branch.

However, what is a problem for adult students is childcare and maintenance during studies, especially if there are already several children in the family. Also with regard to working, childcare is an essential question. The Advisory Board has aimed at notifying Roma women of the day-care alternatives that exist and the statutory right of 6-year-olds to pre-school. According to a basic education project carried out by the National Board of Education in 2002, only about two percent of Roma children go to pre-school. The Advisory Board has also aimed at increasing awareness of Roma children and the Romani culture among those responsible for day-care. In practice this work has taken place, inter alia, so that the Advisory Board for Romani Affairs has participated in the so-called "VASU" Programme arranged by the Ministry of Social Affairs and Health and the National Research and Development Centre for Welfare and Health, the purpose of which, in accordance with the policy decision of the Government, is to draft nationwide recommendations on early education for municipalities. The recommendations will be published in 2003-2004 and they will contain a separate chapter concentrating on Roma children and their needs.

3. Disabled women

About 10 % of the population are estimated to have an injury or disability causing a significant detriment. Among them, about 60 % are women. Disabled women are in danger of facing multiple discrimination, and especially elderly disabled women form a special risk group. There are hardly any research results or statistics on discrimination faced by disabled women.

The goal of the Finnish Policy for the Disabled is to promote the independent life of the disabled, their equal opportunities and their participation in society. To reach these goals, society aims at enhancing the independent activity and decision-making power of the disabled and at eliminating both physical and attitudinal obstacles to participation as well as obstacles relating to communication and the availability of services.

The Act on the Position and Rights of a Customer of Social Welfare Services enacted in 2000 (812/2000) also strengthens the rights of the disabled as users of social welfare services. Especially when establishing a family, disabled women need a lot of support to organize everyday activities. At that point it is for example important to have access to home care. Enhanced support measures during pregnancy and during and after childbirth are likewise important for the disabled. Also the elderly disabled need a lot of social welfare services.

A report by the name of "Disabled women and violence" was published in 2001. The idea came from the Finnish Association of People with Mobility Disabilities and it was carried out by the Department of Psychology of Åbo Akademi (Finland's Swedish University). It studied the frequency of violence against disabled women, its forms, perpetrators and reasons as well as the means of the victims to get help and to get over the situation. Violence experienced by disabled women is a phenomenon that has to be taken seriously, but unfortunately the report does not tell us how common this violence is. However, it is evident that disabled women are especially prone to violence. Physical disabilities make it difficult for them to protect themselves. Mental disabilities in turn may decrease their possibility to prevent violence or to protect themselves against violent behaviour. In addition, a disability may make one prone to threats and abuse. Due to her need for help, a disabled woman may be dependent on a person treating her with violence. Especially in these situations, disabled women should have access to support. It would also be important to arrange peer support for disabled women who have become victims of crime.

Finland has tried to improve the employment possibilities of the disabled and the handicapped to raise their participation in work closer to the employment level of the rest of the population. A reform to this end was carried out in 2002 (Government Bill HE 169/2001) by reforming the Social Welfare Act, the legislation on social insurance and the Employment Contracts Act. In addition, in September 2003 a Government Bill on Social Undertakings (HE 132/2003) was given. Attempts like this would be one way of promoting the employment of the disabled and the handicapped.

The European Union has declared the year 2003 the European Year of People with Disabilities. The aim is to promote the rights of the disabled to full and equal participation in society. In Finland participation and non-discrimination have been selected as the themes of the Year of People with Disabilities and special attention is paid to problems relating to discrimination against the disabled, as well as to the multiplicity of disabilities. Also issues relating to the working life and the training of the disabled will be clearly voiced during the year. On the European level, the events of the Year of People with Disabilities are the responsibility of the European Commission together with the European Disability Forum EDF. In Finland the year is co-ordinated by the Finnish National Council on Disability operating in connection with the Ministry of Social Affairs and Health as a co-operation body of the authorities and the disabled, their families and associations.

Within the framework of the Year of People with Disabilities, a study of the human rights of the disabled was published in 2003[8]. In addition, the Finnish National Council on Disability has published a human rights guide for the disabled handling the discrimination of the disabled and its prevention. In October 2003, a seminar was arranged for disabled women. Its main aim was to increase the awareness of decision-makers and disabled women of equal rights, to encourage discussion and an exchange of experiences and to strengthen the co-operation between associations for the disabled and women. Also an art exhibition of disabled women was presented during the seminar.

The municipal level has implemented the project "Services for the disabled in municipalities". Its aim has been to create an overall idea of how the Act on Services and Support Measures Arranged on the Basis of a Disability (380/1987) operates in practice. The project, inter alia, studied the regional and age-group distribution of services for the disabled, alternative services being developed in municipalities and municipality-specific experiences of the application of the Act on Services for the Disabled. The results of the project are collected in the report "Municipal services for the disabled – Customers and Costs of Services and Financial Support Measures under the Act on Services for the Disabled in 2001"[9]. The report is part of the Target and Action Plan for Social Welfare and Health Care in 2000-2003 confirmed by the Government. Recommendations on housing services as well as aids have also been completed during the reporting period.

In addition, the "Lukibussi" project will be implemented in 2002-2004. It is an information campaign aiming at increasing awareness of learning difficulties among teachers, health-care and social welfare workers, employment authorities as well as parents and those suffering from learning difficulties. The project aims at creating a national support, expert and service network for different learners as well as to clarify different organizational models and implementation alternatives to identify and take into account differences in learning. The "Lukibussi" project will reach nearly every municipality in Finland.

4. The promotion of equality in the media

In 1997, the Finnish Broadcasting Company Ltd (Oy Yleisradio Ab) and five other European broadcasting companies launched a three-year project "Screening Gender" to produce an educational program for television. During the project the different broadcasting companies analyzed their own programs and audiences. They noticed that the number of women appearing on the screen was the highest in programs dealing with traditional "female matters", such as human relations, family issues and issues of social welfare and health. The number of women was the lowest in programs dealing with crime, technology and science, as well as sports. Overall the smallest share of women (9 %) was in sports programs while in programs for children and the young the share of women (44 %) appeared to be the most balanced. Age is also a clear factor: the

[8] Jukka Kumpuvuori - Marika Högbacka: Vammaisten henkilöiden ihmisoikeudet Suomessa ("Human Rights of the Disabled in Finland"). Åbo Akademi, 2003.

[9] Vammaispalvelut kunnissa – vammaispalvelulain mukaisten palvelujen ja taloudellisten tukitoimien asiakkaat ja kustannukset kunnissa. Published in 2001.

younger the woman, the more likely she is to appear on the screen. A slight majority (51 %) of those 19 years old or younger are women, but the figure goes dramatically down with age: 43 % of those 20–34 years old are women, 32 % of those 35–49 years old are women and only 20 % of those over 50 years old are women.

The broadcasting companies have together produced an educational package "Screening Gender", which promotes proper practice in presenting women and men on television. The educational package is a tangible attempt to use gender equality programs as well as communication and gender theories to benefit both the audiences and reporters. Its target is the relationship between the changing European communications markets, national and international equality programs and the present conception of television programs from the viewpoint of sex, or gender. The Finnish Broadcasting Company has prepared a Finnish-language version of the educational package available to all those interested in developing the work of Finnish reporters. In addition, a group of reporters have been trained, who are ready to present the material and to arrange Screening Gender training to editors and other staff.

The Finnish Broadcasting Company implemented a radio channel reform in 2003 aiming at clarifying the profiles and provision of the different radio channels. In accordance with the Equality Plan approved in 1998, the share of both sexes should be at least 40 % by the year 2004. At least in the early days of the radio channel reform, the share of women, however, remained at 22 %, i.e., below the goal, which has aroused criticism in women's organizations. They have also criticized the fact that in connection with the reform, a special radio program directed at women, the Women's hour, was terminated and no specific program for women was offered to replace it.

Also the MTV3 channel has carried out work on equality for a long time. The company has its own Equality Group and it has both a personnel-policy and program-policy equality plan. The work of the MTV3 channel on equality has been discussed already in the earlier periodic reports of Finland.

The Union of Journalists in Finland aims at taking into account equality aspects in its activities both at workplaces and in actual journalistic work. The Union, inter alia, encourages journalism actively to break traditional role models. The Equality Group of the Union compiles an Equality Report annually, inter alia, presenting the gender distribution among its membership. The share of women of the members of the Union is growing year by year and at present already more than half of the members are women.

5. Discriminatory advertising

In May 2001 the Council of Ethics in Advertising in Finland started it work. It replaces the former Council on Equality in Advertising, which operated for 12 years. The Council on Equality in Advertising concentrated above all on implementing equality in advertising while it is the purpose of the Council of Ethics in Advertising in Finland rather to supervise that advertising complies with proper practice. In addition, the latter Council develops ethical principles of advertising. It issues opinions on whether advertising is ethically acceptable, but it does not, however, take a stand to

legality in advertising. The Council primarily concentrates on requests coming from consumers, which may relate to any advertising, as well as to issues considered to be of general significance.

According to the principles on equality adopted by the Council of Ethics in Advertising in Finland, advertising does not approve of gender discrimination nor may advertisements degrade, disparage or defame persons on the basis of their gender. Nor may a woman or a man be portrayed as a sex object nor may gender be otherwise used in advertising in a degrading, disparaging or defaming manner. Advertisements are against good marketing practice also if they assert or insinuate that the role of one gender is socially, economically or culturally less valuable than that of the other or if the advertisements maintain a stereotyped role image.

In addition to the Council of Ethics in Advertising in Finland, also the Consumer Ombudsman may interfere in advertising that infringes equality. The Consumer Ombudsman may, inter alia, handle complaints against discriminatory marketing and enjoin discriminatory marketing measures.

Several NGOs have in the last few years been worried about the more extensive and harder pornography in the media and in advertising, which is likely to have an effect on the general idea of women and men and provide detrimental role models for boys and especially for young girls. They hope for stronger control by the authorities and training in equality for those in the advertising business.

6. Men's and women's joint responsibility for the family

6.1. Co-ordination of work and family life

In its recommendations based on the previous report, the CEDAW Committee urged the Finnish Government to increase incentives for men to use their right to parental leave.

In Finland the majority of family leave is used by the women. Women use 98 % of the parental leave, which, under the law, may be used either by the father or the mother of the child. The mothers nearly always have the four-month maternity leave and often also all of the parental leave of about six months. This means that only about 2 % of fathers use parental leave, but almost two-thirds use at least part of the three-week paternity leave. However, about half of the fathers using paternity leave use all of this leave. The use of paternity leave has gradually increased in the last few years. The number of fathers using paternity leave has increased while the average duration of the paternity leave has remained almost the same. The Finnish system of family leave guarantees those in a permanent employment relationship their return to their former employment after the leave.

The information referred to is based on the memorandum from 2001 of the Working Group on the Co-ordination of Work and Family Life (PEVA II) appointed by the Ministry of Social Affairs and Health. The Ministry appointed an extensive tri-partite working group consisting of the different parties of working life to discuss the co-ordination of work and family life. The working group recommended several improvements to statutory family leave and examined the possibilities to make the selection alternatives of the families more flexible.

On 1 January 2003, the so-called Family Leave Package (HE 147/2002) entered into force, in connection with which amendments were made to the Sickness Insurance Act, the Employment Contracts Act, the Act on Child Day Care, the Act on Home Care Support for Children and the Act on Compensating the Annual Leave Costs Payable for the Period of Parental Allowance. The central starting-point of the amendments was to increase the flexibility and the possibilities of families to co-ordinate the needs of work and family life in accordance with the needs of the family and to increase the equality of women and men in work and family life.

The Family Leave Package provided for a new form of family leave, i.e., a partial parental leave. The new leave is based on the parents sharing the responsibility for the care of the child. This means that both parents conclude an agreement with their employers on part-time work for a minimum period of two months.

The reform particularly aims at increasing the participation of fathers in activities resulting from parenting small children by increasing their possibilities of choice. As part of the reform, the parental leave available to both biological and adopted fathers was extended so that the fathers have a possibility to a continuous one-month leave from their work by combining parental leave and paternity leave. In addition, the legislative amendments made the parental allowance system more flexible so that the parents of small children can take also a partial parental leave while the parents share the responsibility for taking care of the child so that they are simultaneously on partial parental leave and in part-time work.

The use of the new parental allowance period and the use of the partial parental leave is monitored by the Social Insurance Institution within the framework of a separate research project. The use of the benefits is monitored in a specific register, in addition to which the parents are sent questionnaires studying their attitude to the reforms and the evaluations of the parents on their effect on problems relating to the co-ordination of work and family life and the participation of the father in the care of an infant. The research results obtained are used to monitor the effects of the reform on the use of parental leave and equality, and, where necessary, measures will be implemented to further develop the provisions on family leave.

In 2002-2003, the Ministry of Social Affairs and Health also implemented a campaign to encourage the use of parental leave by the name of "Use your parental leave", in connection with which for example maternity clinics distributed to the parents a brochure telling about parental leave in connection with the visit to the clinic. The purpose of information on family leaves was to encourage fathers to exercise their rights and to use the possibility to be there to support their children and to carry more responsibility for the care and raising of children. The main target groups of the campaign were, in addition to the parents of small children and especially fathers, also work communities and decision-makers. Family leave campaigns were the topic of for example newspaper advertisements, comics and posters.

Also the central labour organizations have aimed at promoting more equal use of family leave among men and women. They arranged several regional events within the framework of the project "Time-out for the family" in spring 2002. The arrangement of the campaign was based on the

Incomes Policy Agreement for the years 2001 and 2002. The Incomes Policy Agreement for 2003 and 2004 has clauses on information to workers and employers on provisions promoting co-ordination of work and family life. In November 2002, the parties of a comprehensive Incomes Policy Agreement agreed to set up a working group to prepare a proposal for the amendment of the Employment Contracts Act with regard to partial parental leave. The corresponding amendments are being prepared to the State collective agreements.

However, even after the reforms, the right to use parental leave presents certain problem spots, which, inter alia, NGOs have paid attention to. The right to parental leave is available only for parents living in the same household as the child. When the parents of the child do not live together, the child usually lives with the mother. In this case, the father may not use the parental or family leave nor utilize the possibility guaranteed by temporary care leave to remain at home and take care of an ill child. For these women it is difficult to combine work and family life also because the cost incurred by employers for the acquisition of children mainly have to be paid by the employers of women. Therefore those criticizing it demand a system which would divide the costs incurred by children more equally between the employers of both parents. The application procedure for the compensations should be simplified and it should also take into account the indirect costs incurred by the employer due to maternity.

The forms of families recognized in legislation have become more varied in Finland after the previous report, when it has become possible for people of the same gender to register their partnership starting on 1 March 2002. At the end of 2002, these partnerships had, according to the Population Register Centre, been registered by 433 partnerships, 202 of whom were female and 231 were male partnerships.

6.2. Unpaid domestic work

According to research on the spending of time carried out in 1987-1988 and in 1999-2000, the distribution of work within the family is evening out in Finland. Men spend clearly more time for gainful employment than women. The difference between household work carried out by the genders decreased in 1990s when men started to participate more in household work. The total work input consisting of earnings and home care periods decreased by approximately three hours a week. The reason is the decrease in gainful work to the same extent with men and women.

Doing household work is centrally dependent on the life phase of the person. The establishment of a family and having children influence the amount of household work. The most household work is performed by mothers of children below school age. Women perform more than 60 % of household work. A balancing of the internal division of labour was seen in the decrease of household work carried out by women in all stages of life, most clearly in families with school-aged children and in elderly families without children under 18 years old. The amount of household work decreased most by entrepreneur women, whose gainful employment increased in the 1990s. Household work by men in the 1990s has increased except for those under 45 years old who have no children below 18 years at home. Especially elderly men, the unemployed and working men increased their share of household work.

The division into "women's" and "men's" household work was alleviated, because men participated more and more in cooking and cleaning while women in turn attended to home care more than earlier.

The Finnish debate on equality has also handled the share of women in unpaid care work. The majority of for example care-giving relatives are women. From the point of equality, care services provided by municipalities are, in this respect, significant factors in equality, because at their best they make it possible for women to participate full-time in working life and give care-giving relatives the strength to manage longer.

In Finland the majority of those over 70 year olds are women. In 2002, the Association of Finnish Local and Regional Municipalities launched the program "Preventive Visits to Homes of the Elderly", which develops, tests and evaluates different operating models of proactive visits to the homes of the elderly in different municipalities. The target groups are old people living at home, who are offered a possibility for a proactive home visit by a social welfare or health-care person. The home visit evaluates the functional skills of the elderly person, his housing conditions and service needs as well as gives him information for example on services as well as recreational activities and hobbies.

Article 6

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

1. Preventing commercial exploitation of women

1.1. Development of co-operation between the authorities

In its statement issued on the previous report of Finland, the CEDAW Committee expressed its concern at the increased incidents of trafficking in women and exploitation of the prostitution of women. It urged the Government of Finland to intensify its efforts to increase co-operation between national and international authorities and the authorities of other countries (especially of the Russian Federation and the Baltic countries) in order to envisage common action to prevent and combat trafficking in women.

With regard to prostitution coming from the Baltic countries and Russia, Finland is both a destination and transit country. According to an estimate of the Central Criminal Police, about 10,000 – 15,000 prostitutes from these countries come to Finland annually. Sexual services are most often provided by organized pandering organizations mainly in private residences, restaurants and accommodation facilities. Street prostitution is minor in Finland. Prostitution mainly involves professional pandering. According to the Interim Report of the Working Group of the Ministry of Justice on the reform of legislation on trafficking in human beings, the arrival of prostitutes in Finland does not involve the most serious forms of human trafficking; instead it involves misleading and abuse.

In the reporting period, the Government has aimed at increasing and enhancing co-operation especially with the Russian and Baltic authorities. Since 2001, a liaison prosecutor has been placed in Tallinn, Estonia, by the Ministry of Justice to act as a link between the law enforcement authorities of Finland and Estonia and to facilitate and enhance co-operation between the authorities. A liaison prosecutor has been located in St. Petersburg, Russia, since September 2003. Liaison prosecutors may be of help also in the investigation of crimes relating to trafficking in women and in bringing charges.

A conference "Modern Slavery" was arranged in Vilnius, Lithuania, in 2001, where an agreement was made to arrange a joint information campaign against trafficking in women in 2002. Also Finland participated in this campaign against trafficking in women covering the Nordic and the Baltic countries and co-ordinated by the Nordic Council of Ministers (Appendix 4). The campaign was directed at Nordic customers – men – in order to discourage them from buying sexual services. In the Baltic countries the purpose was to avoid new victims of trafficking. A special campaign task force was operating in each country consisting of experts in different fields. In connection with the campaign, three international seminars were arranged in co-operation and a joint Internet site was created, maintained by Estonia.

In 1998-2000, the Ministry of Social Affairs and Health implemented a domestic project to prevent violence against women and prostitution, which was already reported on above in connection with Article 5. In connection with the project, services were developed for women subjected to violence and for men resorting to violence. The project also developed international co-operation to prevent prostitution and trafficking in women. In addition, experts were trained in different sectors, literature supporting preventive work was published and national information campaigns were carried out.

The experiences of the project will form the basis for further work in the next few years. In April 2003, the Ministry of Social Affairs and Health appointed an Ombudsman and set up a supporting Steering Group to study measures necessary because of trafficking in women and children into Finland to be implemented in the field of the Ministry. The purpose is also to draw up a national program on the prevention of trafficking in women. The program will, inter alia, look into ways of preventing this trafficking. These include tangible plans and arrangements to protect the victims of trafficking in women and witnesses. The program will also study measures that can be undertaken to close down the marketing channels of trafficking in women. The study will also cover measures to decrease sex tourism in co-operation with tourist organizations and the Ministry of Trade and Industry as well as possibilities to improve the employment and training of women in the neighbouring areas for example by means of projects supported by the Nordic countries and the European Union. The other topics will include sexual education of the young and possibilities to restrict pornography and especially hard pornography.

1.2. Sex phone lines

In its conclusions on the previous periodic report of Finland, the CEDAW Committee urged the Government to encourage a positive change of atmosphere against sex phone lines.

As part of the project to prevent violence against women and prostitution, the Ministry of Social Affairs and Health and the National Research and Development Centre for Welfare and Healthcare, Stakes, carried out a study on sexual service advertising in daily newspapers in 1999. The research indicated that in the 35 newspapers studied, the annual number of advertisements was 180,000 and that the economic benefit involved was considerable. Twenty-four of the 35 newspapers studied published sexual service advertisements and eleven had refused to publish them. Seventy percent of the sexual service advertisements published marketed sex phone lines. The research also indicated that the advertising was becoming heavier.

In 2002, a change took place in the publishing of sexual service advertisements as several major daily newspapers and evening papers, including the largest daily newspaper Helsingin Sanomat and the largest evening papers Iltalehti and Iltasanomat, decided to stop publishing sexual service advertisements. After that, advertisements of erotic telephone and other services in the newspapers have decreased significantly. According to the editor-in-chief, for example Helsingin Sanomat aims at ensuring that sexual service advertisements do not emerge under cloaked names in other types of advertisements. In fact, sexual service advertisements are beginning to be restricted almost entirely to the Internet.

Sexual service advertisements as such have not been banned in newspapers in Finland. The regulation of the contents of the advertisements lies with the editors-in-chief.

1.3. Legislative reforms

The buying of sexual services in public places is forbidden under the new Public Order Act (612/2003), which entered into force at the beginning of October 2003. The same Act also provides for a punishment for offering sexual services in a public place against payment. As early as in 1999, the highest police executives issued the police an instruction concerning interference in trafficking in women and prostitution and related crimes.

In November 2002, the Ministry of Justice set up a Working Group with the task of drafting a proposal on punishments for trafficking in persons and certain other related amendments of the Penal Code. The Working Group on Trafficking in Persons, Pandering and Prostitution submitted its first partial memorandum in July 2003[10]. It proposed that the punishment scale for pandering crimes be raised by adding a new provision on aggravated pandering in the Penal Code. According to the proposal, a person who, by transmitting contact information or otherwise, markets another person for intercourse or another corresponding sexual act against a fee could also be sentenced for pandering.

According to the proposal, the Penal Code would be supplemented by a provision on punishment regarding the purchasing of sexual services. At the same time, the maximum punishment for purchasing sexual services from a young person would be raised. The sale of sexual services would not be punishable except in the cases referred to in the Public Order Act.

[10] Working Group Memorandum 2003:5.

Chapter 25 of the Penal Code relating to crimes against freedom would be supplemented by a new provision on trafficking in persons. The description of a crime in trafficking in persons would correspond to international conventions such as the Additional Protocol of the UN General Assembly against Trans-national Organized Crime. A minimum imprisonment of four months and a maximum of six years could be sentenced for trafficking in persons. The chapter would also be supplemented by a new provision on aggravated trafficking in persons, in which case the punishment would range from a minimum of two to a maximum of ten years of imprisonment.

The Act of Coercive Measures (450/1987) would be amended making telephone interception possible in the case of the most serious crimes of trafficking in persons and pandering. In accordance with the amendment on the Act on Coercive Measures, which will enter into force at the beginning of 2004 (646/2003), telemonitoring would also be possible in the investigation of pandering.

The Government Bill on trafficking in persons, pandering and prostitution is likely to be given in winter 2004 after sending it out for opinions and final drafting.

Generally, NGOs have supported the proposal of the Working Group on Trafficking in Persons, but the proposal has also been criticized for not providing sufficient protection for the victims of this trafficking. NGOs have also demanded that the authorities be given further training to prevent the problem of trafficking in women. It has also been proposed that the Government introduce an ethic code binding on the employees and civil servants of State companies and the peace-keeping forces and preventing the purchasing of sexual services in Finland and abroad. It has also been considered important to increase various support services for the victims.

Also the Ombudsman for Minorities has seen indications that, in practice, it is often very difficult for foreign women working in Finland as prostitutes to leave their work if they so want to. According to the Ombudsman, it may be risky for a foreign prostitute to turn to Finnish authorities. If a woman wanting to leave prostitution turns to the authorities, she is threatened by being sent back or being deported, which, in turn, may result in the woman ending up in very unsafe circumstances or even subject to violence in her home country. According to the Ombudsman for Minorities, Finland should create an action program to support foreign women who try to leave prostitution while in Finland. This support program would require at least the co-operation of the immigration and the police and social authorities and certain aspects relating to the residence permit procedure should also be examined.

The European Union has drafted a proposal for a Council Directive on the short-term residence permit issued to victims of action to facilitate illegal immigration or trafficking in human beings who co-operate with the competent authorities [COM (2002) 71]. The residence permit would grant its holder access to the labour markets and the right to general or vocational training so that they can withdraw from the network of trafficking in persons.

2. Sexual rights

Couples of same sex have been able to register their partnership since 1 March 2002. The Act on Registered Partnerships (950/2001) entered into force on that date. With a few exceptions, the registration of a partnership has the same legal effects as marriage. According to the exceptions, a registered partnership shall not be governed by the provisions of the Paternity Act (700/1975) on the establishment of paternity on the basis of marriage nor by other provisions applicable to a spouse exclusively by virtue of his/her sex. Nor shall the provisions of the Adoption Act (153/1985) apply to a registered partnership with regard to the right of a spouse to adopt nor the provisions of the Names Act (694/1985) on the family name of a spouse.

In April 2002, the Ministry of Social Affairs and Health set up a Committee to look into special issues relating to registered partnerships. Its task was to clarify social and legal problems relating to the position of children in families where the adults live in a registered partnership as well as to make proposals for any necessary legislative amendments. The aim was also to deliberate whether provisions should be issued to enable inter-family adoption in registered partnerships.

The Committee submitted its report in September 2003[11]. It considered that, in certain concrete situations it may be in the interests of a child, that a person living in a registered partnership may adopt the child of his or her registered partner or that registered partners may together adopt the child. Therefore the Committee proposes an amendment of the Adoption Act and the Act on Registered Partnerships so that the registered partners are given a possibility for inter-family adoption (adoption by stepparent) and a possibility to adopt a child in the couple's immediate circle of relatives or friends whose own parents are dead. The Committee also proposes that the Act on Child Custody and Access Rights be amended so that, if it is in the best interests of the child, the court could confirm access rights between a child and the registered partner of his or her parent if the partners live separated or if their partnership is terminated. The Committee Report has been circulated for opinions, after which decisions on the further preparation of the matter will be made.

Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:
a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

[11] Publications of the Ministry of Social Affairs and Health 2003:10.

1. Right to vote

In the 2003 Parliamentary Election women received 42.6 % of the votes and the share of female candidates was 39.8 %. Women hold 37.5 % of the seats in Parliament. The share of women elected was the highest in 1991 (38.5 %). Since the 1983 election, the share of female Members of Parliament has remained above 30 %. Since the 1987 election, women have voted more actively than men. In the 2003 election the turnout of female voters was 68.0 % and that of men 65.3 %.

In the municipal elections the share of women among those elected has been rising for several decades. For the first time it exceeded 30 % in the 1992 elections. In the 2000 municipal elections, the share of women elected was 34.4 %. The share of women in municipal bodies has also increased so that, with very few exceptions, the share of women among the members of municipal executive boards and other boards is at least 40 % at present. Also the turnout of women in municipal elections in 2000 (57.7 %) was higher that that of men (53.9 %).

2. Composition of Government

Of the 18 Ministers of the Government of Prime Minister *Matti Vanhanen*, eight are women, which is 44 % of the Government. The Minister for Foreign Trade and Development, the second Finance Minister, the Minister of Culture, the Minister of Transport and Communications, the Minister of Social Affairs and Health, the Minister of Labour, the Minister of Education and the Minister of Health and Social Services are women.

The Prime Minister of the Government appointed after the 2003 Parliamentary Election and functioning between 17 April 2003 and 24 June 2003 was for the first time a woman, when Parliament elected *Anneli Jäätteenmäki* to this post. At that time the Government also had eight other female Ministers. Thus the gender distribution of the Government was even with nine women and nine men as Ministers.

Altogether, the position of women in political decision-making in Finland has strengthened. Between 1999 and 2003, two of the Speakers of Parliament were women: *Riitta Uosukainen* as Speaker and *Sirkka-Liisa Anttila* as the First Deputy Speaker. In addition, the first woman, *Tarja Halonen*, was elected President of the Republic in 2000.

3. State civil servants

3.1. Staff policy of the State

The Government made a policy decision on State Personnel Policy on 30 August 2001. The Government considers it important for the State to be an exemplary employer in implementing consistent and good personnel policy. Well-managed personnel policy, good management as well as skilful and motivated personnel will create the prerequisites for the efficiency and service ability of State government and thus for national competitiveness.

According to the policy decision, State organizations have to utilize all leadership resources and develop a new leadership atmosphere to improve the functioning of work communities. The State employer provides systematic development for its executives and those seeking executive employment. It also supports the willingness of women to seek executive and managerial tasks.

In 2001, the Ministry of Finance issued a Recommendation on the Promotion of Gender Equality in State Offices and Agencies. The starting-point of the Equality Recommendation are the obligations set by legislation, according to which no one may, without justification, be placed in an unequal position on the basis of gender or other related facts. In accordance with the so-called gender mainstreaming principle, the Recommendation refers to measures aiming at increasing the number of women in the highest positions. It also mentions examples of how to promote equality as part of human resource measures. The promotion of equality can be taken into account when selecting executives, when planning the careers of the personnel and their development and in numerous projects relating to the work community and work conditions. A significant sub-area is formed by factors relating to the ethical operating environment and their development.

In 2002, the Ministry of Finance launched a project to promote the placement of women in State government. It is the purpose of the project to promote the placement of women in executive State positions, inter alia, by promoting the networking of women executives. The purpose is also to examine the kind of support that promotes an increase in the number of women in executive tasks and, on the other hand, any obstacles to women seeking and being appointed to executive positions. Statistics are used to monitor the development of the share of women in executive State government positions. The project includes, inter alia, mentoring, communications as well as discussion and training events.

3.2. Highest ranking State officials

The highest ranking State officials include 203 persons, 31 of whom, i.e. 15.2 %, are women. The second highest managerial group includes the other directors of State offices and agencies as well as the directors of performance units and corresponding units of responsibility with the exception of supervisory tasks. In this group, the share of women has increased from 16.5 % in 1997 to 31 % in 2001. Among experts employed by State administration, 45 % are women, and 48 % of all State personnel are women.

4. Funding granted to women's organizations

The participation in societal life through different NGOs is a significant form of participation in Finnish democracy. Finnish organizations are also characterized by an extensive and active group of women's organizations, which is quite unique with regard to its scope and variety even in Nordic comparison. For example the National Council of Women of Finland has been working to promote equality since 1911. The National Council has 56 member organizations with a total membership exceeding 500,000.

Unlike the activities of many other joint organizations of men and women – the activities of women's organizations are not supported by statutory public financing in Finland. However, the Ministry of Education grants discretionary State support to the Coalition of Finnish Women's Associations for Joint Action, NYTKIS. Women's organizations, however, receive other support and project-specific aid even though they do not receive permanent State aid. Several women's organizations experience the uncertainty relating to funding as a drawback. In addition to increased funding, the Coalition has proposed the establishment of a specific resource center for equality and research in women to promote factual equality and to strengthen the connections between research in women, the women's movement and equality policy.

Article 8

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Here the Government refers to its earlier reports.

Article 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

Here the Government refers to its earlier reports.

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:
a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;
b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;
c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to

achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;
d) The same opportunities to benefit from scholarships and other study grants;
e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;
f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;
g) The same opportunities to participate actively in sports and physical education;
h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

1. Promoting equality in working life through labour policies

The CEDAW Committee has urged the Government to increase its efforts to eliminate stereotypes in women's education as well as perceptions in job evaluations and pay regarding traditional areas of women's employment. In particular, the Committee recommends efforts to encourage cross-vocational training in typical female and male-dominated areas. The Committee also urges the mainstreaming of gender studies in all areas of education.

On 1 October 2001 the Ministry of Education appointed a Working Group for the project "Equal Labour Markets" in accordance with the Action Plans of Finnish Employment Policy for the years 2001-2003. The purpose of the project is to affect the mechanisms influencing placement in different vocational spheres so that women and men would be more evenly placed in a different vocational fields. The tasks of the working group were 1) to draft a short-term and long-term plan of measures influencing the selection of subjects and study lines among students and to monitor the implementation and effects of the plan and the measures to be implemented; 2) to draft an action plan to influence job cultures so that also representatives of the non-typical gender would feel at home at the workplace and that they would have career possibilities; as well as 3) to monitor the implementation and effects of the plan and the measures to be implemented.

The working group, inter alia, proposes that community-oriented, test-oriented and laboratory-oriented work methods be more often adopted in the teaching of science. The interest of girls in technology should also be increased by changes in school curricula. Student guidance should also be developed taking into account the different needs and hopes of both genders. Workplaces should develop various action models to promote equality and to strengthen practices supporting equality. Also information on equality should be increased. In addition, various projects should be implemented to encourage men to seek employment in female-dominated fields.

The Action Plan of Finnish Employment Policy for 2002 mentions the following measures in order to decrease segregation:

- reforming the foundations of the comprehensive school and senior secondary school curricula so that the contents of education and teaching methods will alleviate segregation

- launching of projects and practices promoting atypical educational choices for both sexes
- drafting development projects on the contents, methods and arrangement of education to alleviate segregation
- arranging campaigns to influence workplace culture and the attractiveness of various branches, particularly the metal industry
- developing employment services, particularly advice and counseling services in a gender-intensive direction
- statistical studies to ascertain the fields with an uneven gender distribution and the greatest need for labour in the near future.

A national thematic program to eliminate segregation and aiming at implementing the above goals in the labour markets started in 2003 and it will continue until 2005. Also EQUAL and ESR 3 programmes of the European Union develop and distribute operating models to alleviate segregation in education and working life. The projects aim at influencing the career selections of women and men through information, vocational guidance, advice, training and teacher training.

Also the industry has for a long time aimed at influencing the career selections of the young. The latest projects include the "Dream Factory" campaigns arranged since 1999 by the TAT Group for comprehensive school students. The purpose has been to give the young an attractive picture of the industry as a workplace, to emphasize the importance of manual skills and entrepreneurship. All these have naturally also been meant to influence the career choices of young women. The campaign has continued in 2003.

In their Incomes Policy Agreement for 2003 and 2004, the labour market organizations agreed on informing the young of various vocations and professions and their versatility. One of the ideas behind this was to even-out the gender distribution in the different sectors.

2. Gender differences in education

All Finnish girls go to school and women are well-educated. Among 20-64-year-old women, 75.4 % are secondary-level graduates compared to 71.5 % of men. Also the share of women among university-level graduates in Finland is higher than that of men. This is partly due to the reason that, after comprehensive school, women continue directly with their education more often than men. Of the girls completing comprehensive school in 2001, 65 % continued with their secondary school education in the same year while 46 % of men continued with the secondary school and 45 % with vocational training.

Of those completing a university degree in 2001, the share of women was 59 %. Of those obtaining a post-graduate degree (licentiate or doctorate degree) in the same year, the share of women was 46 %. The share of women with a licentiate or doctorate degree increased from 15 % in 1975 to 33 % in 2001.

Although especially young women are highly educated in Finland, the educational fields are divided into women's and men's fields. Over 80 % of those with a technical education were men in 2001

while 89 % of those with social or health education were women. Also education, service and art fields are female-dominated with a share of about 70 %. Women also are a clear majority in the preparatory education of immigrants.

Women study longer than men and enter the labour markets older than men. Among wage-earners, women with a university degree amounted to 39 % and men to 31 %.

The total reform of legislation on education entered into force on 1 January 1999. In connection with the legislative reform, special attention was paid to ensuring educational equality and equal educational services. The legislation also included a provision on the right of the student to a safe study environment.

Finnish basic education is based on a gender-neutral way of thinking, which, in spite of its underlying equality, may in practice result in inequality in the education system. The curricula of schools do not for example include education in equality nor does the teaching necessarily support the development of gender sensitivity. According to the opinions of several NGOs, more attention should actually be paid to the promotion of gender sensitive and equal teaching models and practices in teacher training, curricula and the production of teaching materials. According to them, action programs drafted to implement equality should be extended to the whole educational system. In addition, the value of training in female-dominated fields should be increased and also boys should be attracted to select fields traditionally favored by girls.

In the performance funding granted by the Ministry of Education to polytechnics, attention has been paid to the strong differentiation of the training in some fields to female and male dominated fields. Polytechnics that have better than others succeeded in recruiting minority-gender students and teachers to training programs that are strongly differentiated by gender have received additional funding for practices supporting gender equality.

The Development Programme of Mathematics and Sciences "LUMA", operating in 1996-2002, also aimed at promoting greater gender equality in these fields. The participants of the program included educational authorities, schools and other educational institutions as well as universities, business life and several organizations. According to the final report, the share of women among new students in university technology and science studies increased from 20 to 24 %. The absolute number of women increased by 68 % in the same time due to an increase in the number of new study places in science and technology. Universities arranged courses and projects specifically directed at women in mathematics and science fields. The aim has also been to recruit more women by developing the structure of the degrees and by creating cross-scientific training programs.

Equality issues are also more prominent in the teacher training. In addition to compulsory teacher training studies, equality issues are handled also in other study entities and the students may take courses relating to equality as voluntary courses, literature courses and also in the form of courses planned by the students themselves.

Also the Defence Forces have aimed at recruiting more women. For example advertising directed at the young emphasizes both military and civil tasks available for women in the Defence Forces. The salary and career development of women in the military tasks of the Defence Forces is the same as that of men with the same training and service periods. In the civil tasks, gender differentiation is the same as elsewhere in society. Women now have access also to training for a military career and in the call-ups women may be assigned to all conscript training tasks. During the reporting period, women are being trained in the National Defence College as officers also in special corps and their studies proceed in the same way as those of male students.

In 2000, the Academy of Finland adopted an Equality Plan for 2001-2003 containing several measures to promote the research careers of women. The plan obligates Research Councils to ensure that the share of the minority sex appointed to research posts is at least 40 % unless specific reasons require otherwise. These measures relate to researchers funded by the Academy and the plan also takes into account the co-ordination of research work and the family and the special needs of young researchers and women researchers. The reform of the Equality Plan will be launched in autumn 2003. According to the follow-up information of the last five years, all Research Councils have appointed clearly more women to the research posts of the Academy of Finland than their share of applicants or of all those willing to accept the posts. Also the share of women in the jobs of the Academy of Finland is improving.

Likewise, the share of women among the teaching staff of universities has increased. In 1999, 17.9 % of university professors were women. In 2002, the corresponding figure was 21.2 %, which is the highest in the European Union. The professional associations estimate that in the long term the share of women among university professors will further increase, because more and more of the students as well as of those with a university or post-graduate degree are women.

The One Parent Federation in Finland (Yksinhuoltajien ja yhteishuoltajien liitto ry) draws attention to features of the study support system that discriminate against women. In its opinion, the system of study support benefits does not pay sufficient attention to parenthood and related special needs. The study grant does not contain a supplement for single parents nor is the student automatically entitled to municipal income support. Single parents who study do not in practice often have a possibility to work evenings or weekends to increase the income of the family. On the other hand, the study support system contains an earnings income limit, which is the same irrespective of whether the student has or does not have children. Because the majority of single parents are women, the problems of the study support system specifically concern women.

3. Measures relating to youth and sports policy

3.1. Youth policy

According to the Youth Work Act (235/1995) youth work and youth activities promote equality among different generations, between women and men, and among the different regions of Finland, tolerance and multi-culturalism. According to the Youth Work Act, the responsibility for the guidance of youth work and youth activities belongs to the Ministry of Education. The

implementation of youth work is primarily the responsibility of the State, the municipalities and youth organizations. The provision of activities for young persons is mainly at the responsibility of the young and their communities themselves as well as of various youth organizations.

The financial support to national and other youth organizations and to organizations carrying out youth work takes into account also issues of equality. The grounds of State aid granted to national organizations has aimed at emphasizing the equality perspective. The Ministry of Education has supported various projects increasing equality, especially among ethnic minorities.

In youth research, equality issues continue as an important theme. In addition to studies on girls and young women, studies have been conducted also on the roles and position of boys and young men.

The "TASANUPO" project (Equality in youth policy) launched in 1998 by the Youth Policy Division of the Ministry of Education functioned as planned until the year 2000. The project implemented the mainstreaming of equality in youth policy. It formed the framework for creating a self-assessment system of youth work and equality in two pilot regions.

In addition, the Association of Finnish Local and Regional Authorities has implemented the research project ("Nuorten Suomi 2001") studying the opinions of 18-26-year-old young adults on their image of their own municipality and their municipal attachments, plans to move, municipal services and public-sector jobs as well as the attitudes of the young concerning societal influence and municipal democracy. The research project was implemented in three stages in 1996, 1998 and 2001, and information on the results was distributed several times during the project.

According to the study, 42 % of 18-26-year-old Finnish young people lived with their parents. Men moved away from home at the average age of 19.9 years and women at the age of 18.8 years. The clear majority of the young living with their parents were men in all age groups. For Finnish young people, clearly the most important reason for living at home was that it was cheap. However, as important reasons for the young over 24 years to live at home emerged unemployment and the need for assistance from their parents. According to the study, the young also believe in their own possibilities to influence societal decision-making and they want to maintain the basic pillars of society. On the other hand, the young do not trust the actors of society who decide on societal functions such as health care and the education system.

3.2. Sports policy

The overwhelming representation of men in competitive and top sports has been significant for the equality debate and it is reflected also in other areas of sports, such as the sports of children and the young and in condition and adult sports and their promotion. According to studies conducted, more money is still being spent on the sports facilities for men and boys than on those for girls and women.

According to section 1 of the Sports Act (1054/1998), which entered into force in 1999, the purpose of the Act is to promote equality through sports. There have been several projects and measures relating to the implementation of equality.

In 2000, the Conference of the European Women and Sports (EWS) Network was arranged in Finland. The Finnish Sports Federation had the presidency of the network in 1998-2000. Themes of the Conference included increasing the share of women in decision-making bodies of sports as well as strengthening the EWS network.

During 2001, the Ministry of Education drafted the performance guidance criteria of national sports associations. The societal effectiveness criterion used was the implementation of equality between women and men in Finnish sports, which is one of the goals and focus areas of the Sports Act. The purpose is to use the criteria to create a sports culture where girls, boys, women and men have equal opportunities to practice sports and to participate in decision-making. The implementation of equality should also pay attention to the sports needs of special groups. An equal sports culture will be achieved through a change of attitudes, like all programs aiming at permanent changes in quality.

The implementation of equality is measured by disciplines taking into account their special features and present level. The level is examined using the gender distribution of those practicing the discipline as the starting point. The result obtained is compared, inter alia, with the gender distribution of those participating in decision-making. The development of the level and the input of the associations towards equal opportunities are also evaluated by means of written reports requested from the associations on measures which the association of a discipline has implemented or planned.

In addition, the Ministry of Education has granted development aid to support several projects, inter alia, aiming at creating prerequisites for the development of team sports for women. The Ministry grants annually the "Spikes" award or "Spikes" grants to individuals, communities or projects promoting equality in sports.

In 1996-2001, the Ministry of Education together with the umbrella organization of sports, the Finnish Sports Federation, supported local and regional projects aiming at promoting the participation of immigrants in sports activities and at preventing ethnic intolerance through sports. One of the focal points in granting the support has especially been the promotion of sports for immigrant women and girls.

The Sports Division of the Ministry of Education is at present preparing a pilot project "SUVAUS" on the evaluation of gender impacts in the allocation and granting of sports funding. The project will start in 2004.

4. Women's studies

Women's studies is an area of research that quickly expanded and diversified in the 1990s and its establishment in Finnish universities was promoted by eight professorships donated by the Ministry

of Education (Helsinki, Joensuu, Jyväskylä, Oulu, Tampere, Turku, Svenska Handelshögskolan and Åbo Akademi). When accepting the funding, the universities committed themselves to redeeming the professorships. At present this funding has terminated or is terminating at all the universities. Of the professorships redeemed by the universities, only some are permanent, and only one of the permanent professorships has been permanently filled. The University of Lapland has started extensive teaching in women's studies without any research jobs in the field. On 1 August 2004, however, both a professorship and the job of an assistant in women's studies will be established there. In addition, the Academy of Finland funds the *Minna Canth* Professorship for a fixed period.

From the administrative and financial point-of-view, units of women's studies have very different positions in the different universities. In different universities they are located in different faculties and administratively they are departments, institutes, subjects or networks. What is characteristics of the work of all of them at present is a lack of continuity, inter alia, due to fixed-term appointees to jobs and the insecure funding situation. This also hampers planning and the long-term development of the subject.

According to the evaluation report commissioned by the Ministry of Education and carried out by an international evaluation team under assignment from the Academy of Finland and completed in autumn 2002 (Appendix 5), women's studies in Finland are of a high level and socially significant. However, the report notes that without additional resources women's studies are bound to regress in Finland; the present resources will not even be sufficient to maintain the present level.

In addition, the report pays attention to the under-developed documentation services in Finland compared to the other Nordic countries. The co-ordination of women's studies has been excluded from the job description of the special research worker in the Council of Equality subject to the Ministry of Social Affairs and Health and no one else in State administration has been appointed to handle this task. The Ministry of Social Affairs and Heath has entrusted the Christina Institute with the information service project of women's studies, developing a network service to respond to the information needs on women's studies from public administration, universities, NGOs, the media and individual citizens. The service will, inter alia, include a register of experts, a news service of research, thematically arranged information entities and information on mainstreaming. However, a network service alone will not meet the needs of documentation and co-ordination of women's studies.

The women's studies units belong to the Finnish Society of Women's Studies, which publishes the magazine *Naistutkimus – Kvinnoforskning* ("Women's studies") and arranges an annual Women's studies seminar. At present the Society has about 500 members. The national discussion channel "Naistutkimuslista" ("Women's Studies List") has about 900 subscribers.

Women's studies units have also established a university network "HILMA" to develop teaching and research co-operation. The project is funded by the Ministry of Education in 2004-2006. HILMA maintains a portal acting as a virtual information channel of women's studies and it is used by women's studies units to provide national network courses.

The post-graduate school called "Naistutkimuksen sukupuolijärjestelmä" ("the Gender System of Women's Studies") has at present 20 post-graduate students, seven of whom are funded by the Ministry of Education and five by the universities and eight have acquired their own funding. In addition, according to a Nordic report, about 90 graduate students in Finland have received instruction in women's studies. There are, thus, expert resources in the field. The problem, however, is a lack of financial and administrative support. In addition to increasing university teaching, a significant future challenge is the mainstreaming of women's studies also in basic and secondary education.

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:
a) The right to work as an inalienable right of all human beings;
b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;
d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;
f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:
a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

1. Elimination of discrimination in working life

1.1. The promotion of equality in working life

The general working life indicators describing differences between men and women are still "equal" like at the time of the previous reports. In 2002, 48 % of the labour force (the employed and the unemployed) of the working-age population (15-64-year-olds) were women and 54 % of all the non-employed were women. The employment rate of women was 66.2 and that of men was 69.2. In the age group 20-44-year-olds the employment rates of men were higher than those of women, but among those 45-59-year-olds, the gender difference turned in favor of women and the difference was evened out to one percentage point.

The CEDAW Committee has been concerned about the low presence of women in high-ranking positions in many areas and urged the Government to make efforts to facilitate an increase in the number of women in high-ranking posts.

According to the year 2000 census, the share of women of higher employees was 48 %. According to the occupational classification of 2001, 47 % of all public-sector directors were women in 2000. Using the same classification, the share of women of public-sector directors in 1995 was 46 %. In the top civil servant tasks, the share of women remained at 27 % with a rise of four percentage points since 1995. The share of women varied in State central administration, State district and local administration and in the administration of municipalities and towns. A little over one-third of the directors of State central administration were women.

Among production and line managers, the gender distribution depends on the line. The division of the labour market into men's and women's fields is seen also in management. Over 90 % of construction, industry and transport line managers were men. In the social and health-care fields, the share of women among the managers was 82 %.

In the private sector, the share of women managers in 2000 was 26 % and in 1995 it was one percentage point less.

1.1.1. Equality plans

The CEDAW Committee has urged the Government to set up stronger monitoring mechanisms for the equality plans under the Act on Equality. Special attention has been paid to making the monitoring mechanisms more efficient in the last few years.

The First Survey on Equality Planning compiled by the Ombudsman for Equality was completed in 1998. According to the own estimate of the Ombudsman, it gave a slightly more favorable picture on the implementation of equality planning than was the truth.

In summer 2002, the Ombudsman for Equality conducted a new survey into equality planning of workplaces mainly in the private sector. Equality planning had been carried out at 27 % of

workplaces. The most active promoters of equality were large workplaces employing over 500 persons. The Ombudsman for Equality, however, drew attention to the fact that tangible measures had often remained slight. Nor had everyone become aware of the fact that equality planning is a statutory obligation of the employer.[12]

One of the reasons why small and medium-sized undertakings had less equality planning than large undertakings may be the fact that the resources of small and medium-sized undertakings to meet all the statutory obligations set for undertakings of over 30 people are limited. The equality planning of these undertakings should perhaps be supported by other means than mere supervision only.

A committee set up to prepare a reform of the Act on Equality proposes in its report that the Ombudsman for Equality could set an undertaking a time limit, within which the obligation would have to be met if he notices that the employer has neglected equality planning. If the time limit is not complied with, the undertaking could be obligated to meet its obligations at the threat of a fine.

The Ombudsman for Equality has tried to look also for other means to promote equality planning and to distribute information on it. Equality planning is not an end in itself; it is part of the statutory obligations of the employer to promote equality in a goal-oriented and systematic way. To facilitate equality planning at workplaces, a "Toolkit of Gender Equality" was published in 2000[13], which gives advice and acts as a checklist on issues to be taken into account in equality planning.

For several years, the Ombudsman for Equality has also visited different workplaces in different parts of Finland. In connection with these visits, the status of equality planning in the undertaking has always been discussed.

Several other projects aiming at the promotion of equality in the labour market are also pending at present. For example in 2002 Tampere University started a three-year research and development project "Equality as additional value" with the aim of studying and developing equality planning in working life. "Mosaiikki"[14] in turn is a network and research project launched by the labour market organizations for the years 2001-2004 aiming at searching and finding good and equal workplace practices. The project is a continuation to the project "Good and equal workplace", launched in the 1998 Incomes Policy Agreement.

1.2. Sexual harassment

On the basis of the previous report by Finland, the CEDAW Committee expressed its concern about the high level of sexual harassment in the workplace and stated as its recommendation that the

[12] From plans to action. Report by the Ombudsman for Equality on equality planning at workplaces in Finland. Office of the Ombudsman for Equality, Ministry of Social Affairs and Health. Equality Brochures 2003:1.

[13] Equality Brochures 2000:1.

[14] www.mosaiikki.org.

Government of Finland implement all necessary measures in order to empower individuals and NGOs to take action with regard to sexual harassment.

On the basis of studies in sexual harassment, it can be noted that sexual harassment in working life has clearly decreased. According to a study conducted in 1993[15] the number of women subjected to sexual harassment at the workplace was 27 % while, according to the 2001 Equality Barometer, the corresponding figure was 18 %. The most typical forms of harassment in both studies were inappropriate remarks and double-meaning jokes.

However, studying sexual harassment at the workplace is hampered by the fact that experiencing behaviour as harassment is a very subjective experience, and difficult to measure objectively. Nor do the statistics tell us whether those who have experienced harassment have communicated it to the employer as required by legislation so that the employer could have interfered in these cases.

At the beginning of 2003, a new Occupational Safety Act (732/2002) entered into force with the aim of improving the working environment and working conditions to ensure and maintain the working ability of the workers and to prevent and combat work accidents, occupational diseases and other detriments to the physical and mental health of workers due to the work and the working environment. The Act is applied to work conducted under an employment contract and in a civil-service or corresponding public-law relationship and to certain other forms of work, such as work performed by a convict.

Under section 28 of the Act, the employer has to undertake measures to remove a drawback by the means available to him after he has been informed that the work displays harassment or other inappropriate behaviour directed at the employee and causing a detriment or harm to his or her health. The employer may become aware of the harassment in different ways, for example when fulfilling his general obligation to observe the working conditions. Harassment and inappropriate treatment also refer to sexual harassment and sexually inappropriate treatment. Sexual harassment is further governed by the Act on Equality between Women and Men (609/1986).

In spring 2002, the labour market organizations drafted general guidelines for workplaces on sexual harassment, based on the present legislation. The guidelines discuss all "the rules of the game" to prevent situations of harassment and, on the other hand, to clarify the situation after harassment. The guide "Hyvä käytös sallittu, häirintä kielletty" ("Good conduct allowed – harassment forbidden") has been widely distributed to private and public-sector organizations, undertakings and shop stewards.

The Ministry of Finance gives State government an equality recommendation noting that the employer has to ensure that a worker is not subjected to sexual harassment at the workplace. The

[15] Elina Haavio-Mannila - Osmo Kontula: Seksuaalinen lähentely, ahdistelu ja maksettu seksi ("Sexual approaches, sexual harassment and prostitution"). In book: Suomalainen seksi: Tietoa suomalaisten sukupuolielämän muutoksesta (Eds. Osmo Kontula and Elina Haavio-Mannila). Published in 1993. pp. 311-342.

working community should, in advance, agree on procedures and principles for a case of harassment so that they would be known to everyone.

As an example, the Defence Forces studies the occurrence of sexual discrimination or harassment by means of working atmosphere inquiries, self-evaluations and development discussions. Sexual harassment is subject to a zero tolerance so that no kind of sexual harassment is accepted. For example cases of harassment against women in voluntary military training are interfered with at once with the means possible in each individual case.

Under the Occupational Safety Act, in the case of work involving an evident threat of violence, the employer is under an obligation to arrange the work and working conditions so as to prevent the threat of violence and situations of violence in advance as far as possible. In these cases the workplaces have to have appropriate safety arrangements and equipment to combat or restrict violence and a possibility to summon help. For this type of work and workplace, the employer also has to draft procedural instructions paying attention to the management of threatening situations and to the right methods to combat violence.

2. Atypical employment relationships

The share of fixed-term and part-time employment relationships among all employment relationship started to increase in the 1990s, but the majority are still employed in full-time work. In 2002, 19.5 % of women and 12.5 % of men worked in fixed-term employment relationships. The shares of those in fixed-term employment relationships had slightly decreased since 1998. The share of women in fixed-term employment relationships was 61.3 % in 2002. The shares of those in fixed-term employment relationships were highest among the young; 45 % of women and 36 % of men aged 20-24 years among those employed worked in fixed-term employment relationships and 36 % of men and 18 % of women aged 25-29 years. Fixed-term work is clearly more common in the public than in the private sector.

In 1999, 16.9 % of all employed women worked part-time and 17.1 % in 2002 while the corresponding shares for men were 7.7 % and 7.5 %. Among the part-time employed (including entrepreneurs and wage-earners), the share of women was 66.1 % in 2002. Part-time work is most common in the service sector, which employs a lot of women. Among students, part-time work is common and they do it voluntarily. However, some part-time workers would rather work full time and, in any case, work longer weekly hours than their present part-time work if such work were available.

In the Incomes Policy Agreement for 2003-2004, the labour market organizations reached an understanding to avoid inappropriately short shifts. In their field-specific negotiations, the associations are asked to take into account that shifts under four hours should not be used unless they are necessary because of the needs of the worker or of another justified reason.

The allocation of fixed-term employment relationships to women is in part explained by the segregation of the labour market, because women act as substitutes for women on family leave, job-

alternation leave, study leave, etc. Women use these leaves considerably more often than men and their return to their former or corresponding jobs is secured by legislation. However, the high number of fixed-term employment relationships may endanger and postpone the establishment of a family especially in the case of young women. Most people work for a fixed term because permanent work is not available. Some branches and sectors also have a special need for fixed-term employment relationships. These needs may consist of different seasonal work, the nature of the work, customer flows or seasons.

The CEDAW Committee urges the Government to address the issues of the negative impact on women of policies on time-fixed contacts.

The reform of the Employment Contracts Act (Appendix 6) increased the awareness of and attention to the demands set, inter alia, by equality, family life and voluntary training to the regulation of working life and it aims at converging the terms of employment contracts valid until further notice and those for a fixed term while also defining the appointment criteria of fixed-term employment in the Act.

According to the Act, which entered into force in June 2001, an employment contract is valid until further notice unless there is a justified reason to conclude it for a fixed term. If there is no justified reason, a fixed-term employment contract is deemed to be valid until further notice. This combats the possibility to circumvent the mandatory provisions on job security by a choice of employment-contract duration. If the employer has need for permanent labour, fixed-term contracts are not allowed.

The legislation provides several means to eliminate the negative effects of atypical employment relationships. For example if the employer needs more workers for tasks suitable for his part-time workers, the employer has to offer this work to his part-time workers (5 §). The employer also has to notify of vacant jobs in accordance with the practice prevailing at the work site (6 §) in order to ensure that also part-time and fixed-term workers have the same possibilities to seek these jobs as permanent or full-time workers. In addition, for example the right to family leave and sickness pay are the same for both fixed-term and permanent workers.

Furthermore, if the employer and the employee have concluded several consecutive uninterrupted fixed-term employment contracts or contracts with only short interruptions, the employment contract is, with regard to the determination of benefits, deemed to have continued uninterrupted.

The Incomes Policy Agreements for 2003-2004 contained an agreement to use the compiled public-sector and other available information to evaluate the need for and to agree on a possible longer-term investigation relating to the number of and grounds for fixed-term workers. These reports and this information will be used to draft instructions, based on valid legislation and judicial practice, on the legal grounds for concluding fixed-term employment and civil-service relationships.

In spring 2003, the labour market organizations have been preparing these joint instructions. They form the basis for a short and easily legible and understandable brochure widely distributed at workplaces. The aim is thus to increase awareness of the legal grounds for fixed-term contracts.

The municipal and State sectors have also prepared their own instructions on the acceptable grounds for employing civil servants for a fixed term. For example, instructions were issued in the municipal sector in May 2003 , containing a provision decreasing repeated fixed-term civil-servant contracts. The instructions, inter alia, note that if the employer has a permanent need for substitutes for similar work, the employer should establish a sufficient number of offices covering also this permanent need for substitutes.

The Act on Job Alternation Leave Experiments (1663/1995) entered into force at the beginning of 1996. Job alternation leave offers the worker a possibility for a longer leave, which he can spend as he wants to, for example for training, care of children or other family members, hobbies or rest. A central purpose of the job alternation leave is to promote working ability. For an unemployed person, the job alternation leave provides a possibility, by means of a fixed-term employment relationship, to maintain and develop his working skills and to improve his possibilities to find employment.

Between 1996 and the end of 2002, 67,500 persons started their job alternation leaves. Slightly over 70 % of those on job alternation leaves and substituting for those on alternation leaves are women. The job alternation leave is most often used in the municipal sector and next, in the private sector. Job alternation leaves are especially favored by people of 35 to 54 years of age. Alternative leave is used by all occupations and professions, but it is most often utilized by university graduates or those with a good secondary-level degree working in office work.

The reform of the Act on Job Alternation Leave (1305/2002) entered into force at the beginning of 2003. It prolongs the earlier trial by five years, i.e., until the end of 2007. Under the new Act, a person can take a job-alternation leave if he has been employed in accordance with the Employment Pensions Act for a minimum of ten years. The compensation is 80 % of the unemployment benefit for those with a work history of at least 25 years and 70 % for others. The worker can take a new job-alternation leave after a work period of five years. When hiring the substitute, priority is given to young unemployed people, those who have recently graduated from a university or polytechnic as well as the long-term unemployed.

Atypical employment relationships, especially those of fixed-term, however, still involve detriments especially for women. The Ombudsman for Equality has paid attention to the fact that protection against discrimination based on pregnancy is not very well implemented in working-life practice irrespective of the protection afforded by legislation. Women may still, for example in job interviews, be inquired about possible pregnancies or plans to establish a family. In spring 2003 the Ombudsman for Equality issued a press release on the matter deeming these practices inappropriate and taking the stand that they clearly place women in an unequal position in the labour market compared to men. Also the courts have lately issued decisions interpreting the protection against

discrimination based on pregnancy quite broadly (See, e.g., Helsinki Court of Appeal, case No. S 00/1486, in Appendix 7).

3. Immigrant women on the labour market

In the last few decades, Finnish society and working life have faced the challenge of multiculturalism. Already over 100,000 foreigners reside permanently in Finland and 75 % of them are of working age. In addition, there are such immigrants in the labour market as have been granted Finnish citizenship. In the capital area, this already involves a significant minority. The biggest problem among immigrants is unemployment.

At the end of 2002, the employment offices had a total of approximately 25,000 foreign job-seekers and 13,370 of them were unemployed. Among all immigrants, the labour force included 42,000 persons (46 %). Fourteen percent of the job-seekers were below 25 years of age, 49 % were 25-44 years of age and 37 % were over 45 years of age. Two-thirds had a vocational or university degree. By nationality, the largest job-seeker groups were citizens of Russia and Estonia, amounting to about 41 % of all foreign job-seekers. The next biggest groups were the Somali, the Iraqi, the Iranians, those from the territory of former Yugoslavia and Swedes.

At the end of 2002, the estimate of the employment rate of immigrants was 29 %, which was 2.6 percentage points lower than at the same time in 2001. The decreasing unemployment has been visible especially in big localities. Partly the favorable development has been influenced by the increased demand for labour mainly in the industry and in the service sector, but also by the fact that, better than before, the employers have started to see the immigrants as a labour resource also in certain fields with a shortage of labour. This development has been supported by the guidance of immigrants to active measures and working-life oriented immigrant training and vocational training implemented especially in the capital area in co-operation with employers and including teaching in Finnish (the transport, metal and care branches). The unemployment rate of foreign women is higher than that of men and their employment rate is lower.

According to information obtained from the Ombudsman for Equality, no requests for statement are so far pending on gender-related discrimination from immigrant or minority women. However, the number of immigrants has been increasing strongly since the 1990s. The Ombudsman for Equality is monitoring the situation and, where necessary, will also be in contact with the Ombudsman for Minorities in cases of multiple discrimination.

According to the Advisory Board for Ethnic Affairs, several immigrant women with university degrees are residing in Finland at the moment and it should be possible to offer them work corresponding to their skills. They should be encouraged to take further training and their language studies should be supported so that they could obtain positions corresponding to their education. The Advisory Board also recommends further training and on-the-job-training and the development of the correspondence system of degrees. According to the Advisory Board, also the cultural background of immigrant women should be better taken into account and practical support for training should be increased, for example by arranging child care.

In 2003-2005, the municipal sector is implementing the project "Support for multicultural work communities" ("Työyhteisöjen monikulttuurisuuden tukeminen"). It is part of the project "Municipal labour and personnel 2010" ("Kuntien työvoima ja henkilöstö 2010") launched by the Association of Finnish Local and Regional Authorities in 2001 aiming at supporting the readiness and know-how of municipal-sector work communities to employ immigrants as well as to improve municipal services directed at immigrants. The project provides work communities with training relating to employment and other tools and promotes the training of immigrants to vocations and jobs in the municipal sector.

In addition, in 2003, the Association of Finnish Local and Regional Authorities launched the study "Immigrants and the Labour Market". It aims at studying the economic benefits and detriments of immigration, the integration of immigrants and the impacts of migration on economic development.

The Advisory Board for Ethnic Relations represents the central labour-market parties and organizations, and one task of their representatives is to promote good ethnic relations and measures to prevent discrimination based on ethnic origin in their own organizations. The Working-Life Division of the Advisory Board launched the project "Using the whole palette" ("Käytössä koko paletti") in 2003 to encourage employers. An employer whose work community is equal and multicultural is granted the right to use the specific Palette symbol.

The associations among the trade-union movement whose membership includes women with an immigrant background have launched activities in immigration policy and services directed at immigrant members. The State and the working life parties have launched and are launching cooperation projects emphasizing the strength obtained from a multicultural personnel.

4. The proposal for an Act on Safeguarding Equality

In autumn 2003, the Government gave Parliament a bill for an Act on Safeguarding Equality (HE 44/2003). The proposed Act and the related amendments of certain other Acts would implement the Council Directive on the implementation of equal treatment between persons irrespective of race or ethnic origin (2000/43/EC) as well as the Council Directive establishing a general framework for equal treatment in employment and occupation (2000/78/EC). The purpose of the Directives is to create a framework to combat discrimination based on the forbidden grounds in order to implement the principle of equal treatment in the Member States of the European Union.

The proposed Act would forbid discrimination based on age, ethnic or national origin, language, religion, conviction, opinion, status of health, disability, sexual orientation and other personal reason. Discrimination would be defined as direct and indirect discrimination as well as harassment relating to a forbidden ground for discrimination and an instruction or order to discriminate. Directing unfavorable treatment or negative consequences to a person who undertakes or participates in measures to safeguard the equality referred to in this Act would be forbidden as a counter-measure.

The Act would be applied to all persons in both public and private activity when it involves the practicing of an independent profession or trade or its support, grounds for employment, employment conditions or terms, personnel training or career advancement and training including specialist or re-training or obtaining vocational guidance, or membership and activity in an employee or employer organization or another organization whose members have a certain profession or benefits afforded by an organization. It would further be forbidden to place a person in an unequal position on the basis of ethnic origin in issues relating to social and health-care services, social welfare benefits or other support, discounts or benefits granted on social grounds or in matters relating to conscript duty, women's voluntary military service or civilian service or housing or the provision of personal property or real property or services to the public or available to the public and their availability otherwise than in relations between private persons.

A provider of work, personal or real property or services, training or benefits falling within the scope of application of the Act, who has breached the discrimination ban or ban on counter-measures on the basis of ethnic origin, religion, conviction, disability, age or sexual orientation, could be ordered to pay the injured party compensation for the suffering he has caused, amounting to a maximum of EUR 15,000. In employment and civil-service relationships, the supervision of the Act would belong to the labour protection authorities while compliance with the prohibition of discrimination based on ethnic origin outside employment and civil-service relationships would be the duty of the Ombudsman for Minorities and that of a new body to examine cases of discrimination, to be established pursuant to the provisions of the Act.

The purpose of the proposal is to promote the equality of human beings by imposing on the authorities an obligation to treat people equally by paying attention to their differences based on ethnic origin, religion, conviction, disability, age or sexual orientation. The obligation to draft an equality plan would aim at promoting the equality of people with different origins. The access of the disabled to work and training would, in turn, be enhanced by obligating employers and those arranging training to take reasonable measures to facilitate the conditions of employment of a disabled person. The proposal would thus have a positive effect on the position of all citizen groups by promoting equality.

In addition to the new proposal, the employment conditions of people with diminished working ability were improved already in 2002 by amendment of the Employment Contract Act and in 2003 by the Act on Public Employment Service (1295/2002), which repealed the above amendments. According to Chapter 3, section 3 of the latter Act, employment appropriations are used to support the employment of especially the long-term unemployed, the young and those with diminished working ability.

5. The collective agreement system

A central means of promoting gender equality has continued to be the Incomes Policy Agreements. During the reporting period, two Incomes Policy Agreements were concluded, the first one for the years 2001-2002 and the second, for the years 2003-2004. They have contained several elements promoting gender equality.

The wage-solutions of the agreements have included an equality allowance aiming at improving the wages of women whose wages do not comply with the requirements of their work and their training and to remedy the relatively low wages in the field. The amount of the equality allowance depends on the number of women and their wage level in each sector. The equality allowances have, on the average, been higher in the municipal sector due to the female dominance of these fields. There the equality allowances have mainly been used to check the minimum basic wages in the wage groups with the highest share of women.

No comprehensive study has been conducted on the effects of the equality allowances, but according to the estimates of the labour market organizations, they have tended to even out the wage differences between various fields. The effect of the allowances will be examined as a long-term process.

In the incomes-policy solution for the years 2003-2004, the central organizations recommend that union-specific negotiations evaluate the gender impact of collective agreement provisions in relation to the position of men and women. The review of the collective agreements relating to State personnel contain a similar agreement. The gender effects of State central-level collective agreements will be clarified in a joint workshop between the parties to the agreements and the human resource policy experts of the Ministries.

6. Wages

On the basis of the previous two periodic reports of Finland, the CEDAW Committee is concerned about the wage gap that exists between women and men. When examining the average wages of female and male wage earners in our labour markets, we note that the statistical average earnings of women are still lower than those of men. Throughout the 1990s, the average earnings of full-time female wage earners for regular working hours were about 80 % of the earnings level of men. In 2002, the share was 82 %. In the municipal sector, the difference between the genders was slightly smaller than in the case of those employed in the private sector or by the State. The differences are partly explained by the sharply gender-oriented labour markets, which is a phenomenon typical of Finland and also noticed by the Committee.

According to a study commissioned by the Ombudsman for Equality and conducted by *Juhana Vartiainen* at the Labour Institute for Economic Research in 2001 (Appendix 8), about half of the wage difference can be explained. The wages of women are about 10 % lower than the wages of men of the same age, with the same training, in the same branches and with the same titles. In addition to gender, the unexplained wage differential may be a result of company-specific factors that cannot be found in the material of the study. According to the study, the selection to occupations affects the wage difference significantly while the effect of differences in training, age and the number of children is minor. At the lower end of the wage distribution, the unexplained wage differential is smaller than at its upper end. The difference is at its highest among highly trained women with higher than average earnings.

The study covers all significant labour-market sectors and according to it, sector-specifically, the unexplained wage differential is the smallest in the State and municipal sectors and it narrows down to a few percentage points with exact job classifications. With regard to the municipal sector, the study notes that the wage differential between women and men is actually largely explained by the fact that women and men work in different occupations and by the fact that the educational level of men is somewhat higher.

The study also developed statistical indices making it possible to monitor the development of wage statistics between the genders.

The Government Programme notes that, "the Government promotes equal pay and working life equality by means of a long-term program together with labour-market organizations. The aim is to eliminate unfounded wage differences between men and women."

The labour-market organizations have also implemented their own measures to promote equal wages. For example the Finnish Confederation of Salaried Employees STTK drafted a proposal for an Equal Pay Programme in spring 2003 and an eight-step proposal for measures included in the Programme. According to the Programme, the Government and labour-market organizations will together compile an Equal Pay Programme guaranteeing a non-discriminatory wage system. The Programme would also include an efficient monitoring system of the goals using specific indicators to monitor the efficiency of measures implemented to promote equal pay.

The joint evaluation work group, TASE, of the central labour-market organizations has handled the development projects of different branches and promoted incentive-pay systems based on an evaluation of the requirements of the work. In 2003, the group prepared a sector-specific impact research as to whether an evaluation of the requirements of the work has promoted equal pay. The study will get better under way towards the end of the year 2003.

The goal of the State Pay Policy is a just pay for all wage earners and wage-earner groups of the State. The aim is, by the end of 2004, for all State administration to adopt a new wage system based on the requirements of the job and personal performance and skills to promote equal pay for equal work.[16]

7. Unemployment among women

7.1. Unemployment of women in 2002

Due to unbalanced demand and supply of labour, Finland suffers from structural unemployment affecting more than 170,000 persons. In 2002, the unemployment rate of both women and men was 9.1. The number of unemployed women was 114,000 and that of men 123,000. The unemployment rates were highest among 15-24-year-olds and they decreased with age. In the case of 15-24-year-old women, the unemployment rate was slightly lower than that of men. However, in the case of 25-

[16] For case law see, e.g. Labour Court judgments Nos. 7-10/2002, in Appendix 7.

44-year-old women, the unemployment rate was slightly higher than that of men. The differences in the unemployment rates of women and men were small.

In 2001, 19.6 % of unemployed women had university degrees while 13.2 % of unemployed men had this degree. A larger share of unemployed men than unemployed women lacked education beyond the basic level.

The Ministry of Labour has developed a Labour-policy Strategy extending until 2010 and aiming at promoting employment and finally attaining full employment. During the present decade, the labour-market situation will change step-wise as the large age groups start to leave the labour market. The population entering the labour market in the future years will no longer replace the numbers of population leaving the market. In order to safeguard the availability of labour and to speed up employment, support will, inter alia, be granted for the participation of those hardest to employ, the disabled and immigrants, in working life, to alleviate gender-specific distribution of work and to speed up the employment of the young. The aim will also be, where possible, to alleviate the indirect taxation in fields with low pay, often employing a large number of women, and so to promote employment in these fields.

7.2. Ageing women workers

The purpose of the National Programme on Ageing Workers implemented in 1998-2002 by the Ministry of Social Affairs and Health, the Ministry of Labour, the Ministry of Education and several other parties aimed at discouraging pre-mature retirement, disability and alienation as well as at promoting the employment of ageing workers. The Programme included information and training as well as a reform of legislation and labour policy. In addition, the Programme included action relating to the development of work communities and the maintenance of working ability, the promotion of labour protection, research and pilot projects.

The Programme gave rise to lively discussion on the status, opportunities and strengths of the ageing labour force and several research and training programs were started. Many of the goals of the Programme will not be reached until during a longer period of time. However, the follow-up data shows that changes have taken place. The retirement age has been rising throughout the Programme and the employment rate of older persons has increased more than the average and thus come close to the employment among the other age groups. Also the long-term unemployment among older persons has decreased. The Programme also included a campaign on working ability. The Institute of Occupational Safety and Health continues the work of the Programme and the working-ability campaign. The Concluding Report on the Programme has been published in 2002 with the title "The Many Faces of the National Programme on Ageing Workers in 1998-2002"[17].

In the year 2000, the municipal sector launched the program "Healthy Work - Healthy Municipalities". It is a program of the Local Government Pensions Institution on quality at workplaces, which supports the development of municipal working life in order to improve the

[17] Publication series of the Ministry of Social Affairs and Health 2002:3.

possibilities to work longer in the municipal sector. Inter alia, seminars and training are arranged within the framework of the program, publications will be produced and good practices developed for municipal workplaces to improve the overall quality of workplaces.

The program and the research activities of the Local Government Pensions Institution will also jointly implement the Municipal Work 2010 Project during 1 May 2002 and 31 December 2004. The project aims at improving the quality of municipal working life and so to postpone retirement. The purpose is to reach the aim by implementing the Municipal Work 2010 research by collecting information on well-being in work and its changes and measures to promote it in the municipal sector by using the research results to develop tools to improve the quality of municipal working life by monitoring the effects of working life promotion activities.

8. Social security

8.1. Safeguarding social security and development of gender impact analysis

On the basis of the pervious periodic report of Finland, the CEDAW Committee is concerned that the policy of decentralization in social services may have negative impacts on women. It recommends the development of gender impact analysis as well as gender-sensitive training while the decentralization takes place. It also recommends strengthening the links between the central authority and the municipalities.

The promotion of social equality in Finland is related to regional equality, because the territory is extensive and the country is sparsely populated. Both the promotion of social and territorial equality form the basis of the national social and health-care policy. The decentralization of services has been implemented by means of the system of municipalities so that the local municipality holds a key position in guaranteeing the equality of its inhabitants provided for by the law. This policy guideline has not been questioned from the perspective of gender equality in Finland. Section 6 of the Constitution provides for equality before the law and prohibits, inter alia, gender-based discrimination.

The municipalities provide the statutory basic services available to all the inhabitants, the most important of which relate to education, social and health care and the maintenance of the technical infrastructure. The services are financed by public tax funds and the municipality has the right to collect taxes in its territory. The municipalities provide numerous services in co-operation with other municipalities; for example hospitals, many educational institutions and polytechnics are maintained by joint municipal authorities. The Ministry of Social Affairs and Health grants a State subsidy the amount of which depends on (the number of inhabitants in the municipality). In addition, the municipality receives a State subsidy for education and culture as well as for general purposes.

The State subsidy system of social and health care has been reformed in the last few years so that groups needing special services are ensured access to these services. Examples of this are specific services for the disabled and child care. The sector of information guidance has drafted

recommendations in co-operation with the national association of the municipalities, the Association of Finnish Local and Regional Authorities.

Under the law, social and health-care services have to be arranged in co-operation with the customer. The applicant for the services and the customer have a statutory right to appeal and complain, which is also generally used in municipalities. In addition to Acts on the services, a specific Act guarantees the status and rights of a customer of both health and social care. The Parliamentary Ombudsman and the Chancellor of Justice examine individual appeals and complaints.

The general planning guidance and supervision of social and health care belongs to the Ministry of Social Affairs and Health; in the territory of the province, these tasks belong to the Provincial Government. Changing the guidance role of the State from normative guidance to information guidance has increased the differences of the municipalities in the provision of social and health-care services and in the availability and quality of these services.

Legislation determines a subjective right to child day-care and to certain services for the severely disabled. However, it is in fact only the right to child day-care that may be considered a subjective right implemented as a universal principle. All other care services are rather subject to a needs assessment and the concept of needs has to be flexible in accordance with the resources of politics and the economy.

A continued narrowing of public services can especially be seen in the case of services delivered at home. For example the number of aged persons covered by public-sector domestic services decreased by about 40 % in the 1990s. Correspondingly, the share of informal care by family members has increased by approximately the same amount. The provision of informal care is mainly the responsibility of women. Financial support from society to those giving informal care to adults is slight. Less than 10 % of the care-takers get any financial support from society at all.

The expectations relating to managing on one's own are tied to the gender. This means that the possibilities of elderly women to obtain services to support their managing are weaker than those of men. This concerns both services provided by society and care taking place in a relationship.

The problems relating to the decentralization of social services are known, and several means are used to try and rectify them. The Government Programme emphasizes the promotion of gender equality. The goal set is ensuring the availability, quality and sufficiency of needs-oriented care based on the needs of the population in the different parts of the country.

The Development Programme of Social Welfare rectifies the defects in social services, inter alia, among the aged population and in services for children and families. The Programme focuses on the old living at home and the service system is constructed to support this principle. The possibilities of the old themselves to decide what services they want will be improved, inter alia, by setting up regional service chains including municipal social and health-care services as well as services provided by organizations and private people. The Act will include provisions on the right of an old

person to have his or her right to a service evaluated within three days from a contact regarding the need for the service and the right to have a service plan drafted. The Government will, during its term, also study how family care can be developed by legislation and as part of the service entity. Special attention will be paid to the grounds of support for family care, the number of caretakers, the free-time arrangements of the caretakers and the availability of sufficient support services.

Specific social welfare services have been developed by means of the project "Verkostoituvat erityispalvelut" ("Networking special services") since 1998. The aim is to create a comprehensive regional and local special-service network providing services based on special skills and special professions for example for the protection of children and the young, dependence on intoxicants and drugs, domestic violence and the service needs of special groups as well as different crisis situations. The development of crisis services also involves guaranteeing the availability of the services around the clock.

In 2002, the Ministry of Social Affairs and Health started a pilot project of mainstreaming, first in the administrative field of the Ministry itself. This includes a gender impact analysis in the legislative drafting of the Ministry, i.e., an evaluation of possible gender impacts of an Act and a possibility to promote the implementation of gender equality. When analyzing the gender impact, for example statistical information should be used to examine which areas within the scope of a legislative project display gender-based differences. Seemingly neutral provisions may have different impacts on the genders. The principle of equal treatment will have to be implemented also between different groups, as men and women differ for example on the basis of their age, ethnic background and place of residence.

Also social benefits may seemingly be gender-neutral; inter alia family leave is meant both for women and men even though women use the majority of these leaves. In this case it might be the task of the draftsman of legislation to evaluate what economic, employment or parental impacts result for women/men by the uneven distribution of family leave.

In an analysis of gender impact, for example the following questions may be asked: Can the Act under preparation eliminate obstacles of equality? Does the Act promote gender equality

- in working life, in the economic position,
- in the possibility to implement parenthood and to combine work and family life,
- in training and vocational development,
- in possibilities for work, employment and career development,
- in the implementation of possibilities for social influence and participation,
- in health and illness and in the need for related services,
- in safety and threat of violence,
- in securing social participation,
- in the use of time, need for hobbies and recreation and in other areas of significance in the implementation of gender equality?

The promotion of equality between women and men is a societal task written in the Constitution. An evaluation of the gender impacts of legislative projects and their possibilities to promote equality is an administrative means aiming at promoting the implementation of equality.

8.2. Pension benefits

Statutory pensions are paid from two different pension systems: earnings-related employment pensions and national pensions. At the end of 2001, the average total pension of old-age pensioners was EUR 1,019 per month, EUR 1,215 for men and EUR 891 for women. Among the pensioners, 57 % were women.

For women an important form of pensions are widow's pensions. Family pensions mainly consist of widow's pensions. At the end of 2001, 89 % of those obtaining a widow(er)'s pension were women and 11 % were men. In 2001, the average pension of male widowers was EUR 1,235 per month and EUR 172 per month of that consisted of a widower's pension. The pension of a widow was EUR 1,041 per month, EUR 445 of which consisted of the widow's pension. The average widow(er)'s pension has been increasing steadily throughout the 1990s, due, inter alia, to a rise in the level of employment pensions.

In the reporting period, the development of the pension level was still affected by amendments relating to the 1996 pension reform, which slowed down the development of the level of old-age pensions. The reform included, inter alia, a full deduction of the employment pension from new national pensions, the gradual elimination of the basic share from national pensions by the beginning of 2001 and the introduction of a separate TEL index for those over 65 years old. A lightening of the taxation of the retired has partly replaced cuts in pension security. The extra sickness insurance premium of pensioners was eliminated at the beginning of 2003. The elimination of the basic share of national pension will be repaid to work pension beneficiaries entitled thereto starting in October 2003 by a separate raise.

A significant work-pension reform relating to private branches was agreed upon in the reporting period. The reform, based on an agreement of the central labour market organizations in November 2002, will enter into force in 2005 and it will include, inter alia, a flexible retirement age between 62-68 years of age.

With the reform, earnings-related pensions in the private sector will accumulate from the beginning of 2005 also for unpaid periods during which the employee is paid an earnings-related daily allowance. During these periods, earnings-related pensions will accumulate in accordance with the basic accumulation, i.e., by 1.5 % of the earnings forming the basis for the calculation. Family leave is thus included in these periods. From the beginning of 2005, earnings-related private-sector pension will thus start to accumulate by 1.5 % a month for a period of maternity, family and paternity allowance on the basis of the earnings forming the basis for these benefits. In addition, an unpaid home-care period of a child under three years of age will increase the pension by 1.5 % on the basis of a monthly income of EUR 500.

9. Child day care

Since 1999, issues of day care have been part of the monthly labour investigation and the information has been collected in the fourth quarter of each year. According to the 2001 information, more than half of children under the school age (under 7 years) are taken care of at home. About 40 % of those under school age are taken full-time care of outside the home. The majority of them are in a municipal day-care center. Half-day care is given to about 9 % of those under school age. Almost without exception, a child being cared for at home is taken care of by the mother. Only a few percent are taken care of by the father and it is very rare for the caretaker to be other than a parent of the child.

Article 12

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

1. Promotion of health

1.1. General

In April 2002, the Government made a policy decision with the aim of ensuring good health care for the citizens also in the future. The purpose is for everyone to have access to necessary health care irrespective of his place of residence and financial status. The means to attain the goal are the development of health services in co-operation between the State and the municipalities also taking into account the activities of NGOs and the private sector.

The most central development areas relate to proactive work towards health and health promotion, ensuring access to health care, the sufficiency of the personnel and an improvement of their skills, a reform of the activities and structures of health care and strengthening health-care financing. The project will continue until the end of 2007. The national health-care project is supported by the project of the Association of Finnish Local and Regional Authorities for 2002-2004 aiming at a reorganization of the basic health-care services of the municipalities.

1.2. Drugs

Experimenting with drugs and the use of drugs and the ensuing harm increased steadily throughout the 1990s. The most common drug is cannabis. According to studies, in Finland about 10 % of adults have at some point tried cannabis. Regionally, the use of drugs is most common in southern

Finland in the biggest cities, where also the attitudes of youngsters especially towards mild drugs have become more tolerant. The number of problem users of drugs, mainly amphetamine and opiates, is estimated to be about 11,000 – 14,000. The majority of drug addicts are under 30 years old.

According to the latest research, experimenting with drugs did not become more common between 1998 and 2000. It would also seem that the HIV epidemic, which spread quickly due to intravenous drug use in 1998 – 1999, shows the first signs of subsiding. The HIV epidemic was noticed by means of the general Register of Infectious Diseases. The input in measures preventing infectious diseases and vaccination programs has brought good results. In 1999, the share of HIV infections due to intravenous drug use was 60 % of all infections. In 2000 and 2001, the corresponding shares had dropped to 38 % and 37 %. A study on the occurrence of the infection has shown that the share of those infected has dropped to approximately one percent in 2002. Successful preventive work among drug users also decreases the infection pressure directed at the rest of the population with a delay.

In spite of the abatement of experimental drug use, the harm caused by drug use may still grow. Other worrying trends include the accumulation of the problems to a young age group, the increased social alienation of drug abusers and an increase in drug-related crime. Drug-related crime in Finland is criminal activity that is more and more organized, diversified and aims at extensive financial benefit, and it is mainly lead from the neighboring areas of Finland. The drugs used in Finland are usually imported mainly from Russia and Estonia but also from elsewhere in the European Union.

By its decision in October 2000, the Government decided to enhance its drug policy. It entrusted a co-ordination group set up to co-ordinate the national drug policy with a duty to draft a longer-term action plan to make the drug policy more effective. The Action Plan has been implemented in the Ministries in charge of drug issues since the beginning of 2001. The measures of the program relate to advance prevention of drug use and early interference, treatment of drug abusers and support to those close to them, supervisory measures, international co-operation, research and monitoring as well as the co-ordination, implementation and development of drug policy. Several projects are pending at present to prevent drug use and to alleviate its harmful effects.

1.3. Smoking especially among young people

The CEDAW Committee has expressed its concern about the increase in smoking and in the use of drugs among young people, particularly among girls, and urged the Government to intensify its efforts aimed at decreasing them.

The Strategy to Promote the Health and Non-smoking of Children and the Young in 2000-2003 was completed at the beginning of 2000. The Strategy contains 64 proposals for measures aiming at getting the parents and all other adults as well as the living environment of children to support their healthy growth and development.

The Government also made the policy decision "Health 2015" on a National Health Programme including a tangible goal relating to decreasing smoking and the use of alcohol and drugs among the young. Indicators are being developed to measure the attainment of the goals. Follow-up information on the smoking and drug use of youngsters is obtained from an annual school health inquiry and certain other health inquiries. The latest information obtained indicates that smoking and use of alcohol have decreased among youngsters. At the age of 14 to 18, girls smoke as much as boys of the same age, and 16-year-old girls even slightly more than boys.

With the help of funding granted by the Ministry of Social Affairs and Health for health promotion, several NGOs and educational institutions have launched numerous projects aiming at decreasing smoking among the young, and planning campaigns and developing material. A national Smoking campaign directed at the young will be launched in 2004.

Finnish comprehensive schools, secondary schools and vocational educational institutions will gradually launch health education with smoking and the use of drugs as an integral part. In addition, several regional and municipal welfare programs have been drafted paying attention to smoking and the use of drugs among youngsters. The "Käypä hoito"("Current treatment") recommendation, completed at the end of 2002, on smoking, nicotine addiction and withdrawal treatment assists the health-care system, including school health care, to support the young in giving up smoking. The National Public Health Institute also has a general unit for the prevention of smoking and a special unit meant for the young.

Those in military service are distributed the guide "Terveys ja toimintakyky" ("Health and Functioning ability") produced by the Health Care Department of the Defence Staff of the Finnish Defence Forces. It contains, inter alia, separate chapters on smoking and drugs and the related health damage. Health-care education given to all conscripts includes a lesson on the health hazards of smoking and intoxicants. In addition, women in military service are especially warned against the hazardous effects of smoking on the hormonal functions of women and the fetus.

2. Health care during and after pregnancy

Maternity and child welfare clinics are organizational units within health centers. The services of the clinics are provided free of charge and their goals are to ensure a good standard of health for the mother, the unborn child, the infant and the family as a whole.

The maternity clinic monitors the physical welfare of the mother and unborn child and provides antenatal classes for the patents. It also promotes the mental and psycho-social welfare of the family. Expectant mothers have to undergo a medical examination at the maternity clinic before the end of the fourth month of pregnancy in order to quality for a maternity grant. During the normal course of a pregnancy, an expectant mother will attend a maternity clinic 12-15 times, usually to see a public health nurse. The doctor will examine the mother 2-3 times during the pregnancy. Most health centers offer ultrasound examinations for pregnant mothers, usually between the 12th and the 16th weeks of pregnancy.

Child welfare clinics monitor and support the physical, mental and social development of the child and, if necessary, arrange for them to be examined and to receive treatment elsewhere. The clinics also provide guidance and support to families concerning bringing up children and managing in life. Following a child's birth, a public health nurse from the local maternity clinic will visit the child's home. The child and family then become clients of the child welfare clinic.

A drawback of the present service system is its fragmentation. The memorandum of the Expert Working Group on Child Welfare Clinics and the Guide on Arranging Child Welfare Activities in Municipalities[18] proposes that welfare clinics be developed into family service centers. A family service center would enhance co-operation between different municipal and NGO actors and offer more versatile services to families with children. The centers could also have better possibilities than the traditional clinics to collect expertise in work with immigrants. Launching peer groups for immigrants as part of the family service center would improve the welfare of immigrant mothers and their families.

3. Family planning and abortions

The number of abortions has remained fairly constant in the reporting period. For example in 1999, a total of 10,832 abortions were carried out, and in 2001, a total of 10,700. The figure for 1999 means 8.9 abortions per a thousand women in fertile age (15-49 years) and the figure for 2001 correspondingly means 9.0 abortions. In 2002, the figure rose to 10,902, i.e., 9.4 abortions per one thousand women. According to preliminary estimates, the figure for 2003 would again be close to that of 2001.

In the age group of those under 20 years the number of abortions has tended to rise; in 1999, it was 14.1 per one thousand women, in 2001 it was 15.2 and in 2002 as many as 17.0 per one thousand women. According to the estimate for 2003, the figure is likely to drop down to the figure of 2001.

The greatest number of abortions are carried out for 20-24-year-old women, in which age group the figures have varied between 15.5 and 17.1 per one thousand women in the reporting period. However, the next highest figure of abortions is in the age group of those under 20 years; in 1999, the number of abortions in this age group for the first time exceeded the figure of the 25-29-year-olds and it has not gone down.

The public health nurses of medical centers and school nurses give advice in contraception. The services of school healthcare and contraception clinics are free of charge for all. Information is also available, inter alia, on the pages of the Sex Health Clinic of the Family Federation of Finland which, in addition to general counseling, also has a net clinic for youngsters, where they can search for information or talk in real time at their own personal virtual appointment with an expert. In 2003, health information was included in the official curriculum of the comprehensive school. Sexual health and information on contraception are included in this subject. Contraceptives are

[18] Ministry of Social Affairs and Health, Working Group Memoranda 2003:7.

easily available. In 2002, also emergency contraceptives (morning after pills) were freed so that they can be purchased without a prescription by those over 15 years of age.

The National Research and Development Centre for Welfare and Health, Stakes, has implemented the RASKE project (decreasing abortions) and its reports provide material to promote care and teaching. In addition, annual Fertility Festivals (Hedelmällisyysfestarit) are arranged, which are an annual event in sexual education where health-care and social welfare students provide school children with versatile and proper information on sexuality. In addition to special events for youngsters, information is also transmitted by means of exhibitions and other means. In connection with the festivals, also professionals have their own training events. So far these festivals have been arranged in several cities in different parts of the country and the latest one was in Hämeenlinna in 2003.

From the perspective of family planning, the possibility of partners of the same sex to register their partnership has, on the one hand, increased equality between different groups of women, but, on the other hand, it has caused new types of problems relating to family planning. For example the right of partners of the same sex to adopt is so far unregulated, even though the matter has been studied by a working group as explained earlier under Article 6. It is further also unclear who has the right to fertility treatment.

4. Sexually transmitted diseases

In 2001, a total of 12,142 cases of chlamydia (*Chlamydia trachomatis*) were discovered in Finland and 62 % of these cases were in women. Especially among the young, the cases have been continually increasing; of cases reported in women, 35 % were under 20 years of age. The cases of gonorrhea *(Neisseria gonorrhoeae)* have, on the other hand, been decreasing, and in 2001 only 247 new cases were reported, and the share of women was 19 %. The reported cases of syphilis *(Treponema pallidum)* were 159 in 2001 with 44 % in women. Chlamydia is most common in northern and central Finland while cases of gonorrhea and syphilis are concentrated near the eastern border.

In 2001, 128 new HIV infections were discovered with 25 % of them in women. In the same year, 19 new cases of AIDS were discovered, and 7, i.e. 36 %, in women. Of the 13 people who died of HIV in 2001, four were women. No cases were discovered in 2001 where HIV/AIDS would have been transmitted from the mother to the infant.

Nationally central topics of the promotion of sexual health and welfare today are sexual education of the young, abortions and the position of men in family planning and sexual health. The promotion of sexual health is supported as part of the promotion of overall health and health education.

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:
a) The right to family benefits;
b) The right to bank loans, mortgages and other forms of financial credit;
c) The right to participate in recreational activities, sports and all aspects of cultural life.

1. Supporting women entrepreneurs

Since the submission of the previous periodic report, a Women's Enterprise Agency has been established, in 1996, to promote entrepreneurship and networking among newly started women entrepreneurs. The Agency encourages the establishment of new viable enterprises and creates new operating models and services to support their development. It is funded by and operates in co-operation with the European Social Fund, the Finnish Ministry of Trade and Industry, the Finnish Ministry of Education as well as private enterprises, banks, insurance companies, business organizations and communities as well as educational institutions.

The cornerstone of the Agency is the utilization of experience in all its activities. It provides information courses and advice with experienced women entrepreneurs as experts, counselors and trainers. The most advanced form of co-operation and interaction between an experienced and a new entrepreneur is entrepreneurial mentoring. The Agency has also published a manual for the mentoring process, including both a handbook and a video.

On the municipal level, pilot regions will in 2003-2006 implement a project called "Entrepreneurship and municipalities – promoting entrepreneurial attitudes" with the aim of developing a favorable attitude to entrepreneurship and an internal awareness of entrepreneurship as part of everyday activities. It is a continuation of the entrepreneurial attitude project of the Association of Finnish Local and Regional Authorities from 1997 and the second project in 2000-2002. The project aims at influencing the operations of decision-makers and business-life representatives in municipalities. The participants include educational institutions, entrepreneurs and business development centers from the pilot municipalities.

1.2. Supporting Women Entrepreneurs through EU Structural Funds and Regional Development Programmes

The national employment policies are supplemented by the regional policies of the European Social Fund ESF. The implementation authority in Finland is the Ministry of Labour. In the programme period 2000-2006 the ESF programmes are the Objective 3 Programme, regional Objective 1 and 2 Programmes and the Multinational Community Initiative EQUAL. The Programmes have been prepared in co-operation with the European Commission, which also approves the programmes. The implementation authority in Finland is the Ministry of Labour for the Objective 3 Programme and the EQUAL Initiative. With regard to Objectives 1 and 2, the implementation authority is the Ministry of the Interior. The funding of the Objective 1 Programme (Eastern and Northern Finland)

and the Objective 2 Programme (Southern and Western Finland) comes from several sources. The Objective 3 Programme and the EQUAL Initiative (all of Finland with the exception of the Åland Islands and the Objective 1 Programme) are totally financed by the ESF.

The ESF searches, tests, produces and implements new solutions in employment, education and trade policy and distributes good practices. The aim of the Fund is also to increase the readiness for research, science and technology and to promote equality. By the middle of the period of 2000-2006, Structural Fund support has been used to launch projects supporting woman entrepreneurship. No detailed studies have been made on the number of projects and their funding.

2. Promoting equality in culture

More and more women study in institutions of art and culture. In 2001, the share of women among students studying for a vocational degree in arts was 65 % and of those in polytechnics, 69 %. In higher education institutions, the share of women in the field of art was 63 %, in music training 55% and in the field of the theatre and dancing, 52 %. The increase in the share of women in cultural education will result in an increase in the share of women in art occupations. Also the share of women among the recipients of State art and cultural grants has increased; in 1998, it was 44 % while in 2002 it was already 48 %.

According to the study carried out by Statistics Finland, on how people spend their time implemented in 1999-2000, women and men spend an equal amount of time for cultural and amusement events in Finland. However, women go more than men to the theatre, concerts and museums while men spend more time than women watching television, listening to the radio and participating in various sports events. Women, on the other hand, spend more time reading than men.

The public libraries of Finland have a collection of 37 million books, supplemented annually by 1.6 million books. In addition, the collections include, inter alia, newspapers and magazines, music and scores, musical and other recordings, video cassettes, CD-ROM and DVD disks. The use of the libraries is free of charge. According to a statistical survey conducted in 1999, 69 % of women and 61 % of men over 15 years of age used library services annually.

Under the Library Act (904/1998), the aim of library and information services is to promote equal possibilities of the population to civilization and life-long learning. The aim is also to promote the development of virtual and interactive network services and their cultural contents. To make the services more accessible, Finland has also 200 library vans in addition to permanent libraries. All Finnish public libraries offer a possibility to use the Internet, primarily free of charge. The libraries also give advice in the use of the Internet.

There are no significant gender differences in the use of the Internet, email, computer and mobile phone. In 2002, more women under 55 years of age than men used email. Email was used most by the young age groups. Likewise, with the exception of the oldest age group, a slightly bigger share of women than men had been using the computer during the last three months before the study. The

Internet was not used as often as the computer, and the gender differences were minor. Almost every man under 45 years and every woman under 40 years had a mobile phone.[19]

In Finland cultural services and support are available to everyone irrespective of his ethnic background. In addition, the Ministry of Education has annually supported minority cultures with a separate appropriation. Subsidies are granted for cultural activities of immigrants and ethnic minorities. The central actors are immigrants, such as refugees and asylum seekers and Finnish national minorities, for example the Roma. The aim is to strengthen the right of ethnic minorities to foster their own culture and language alongside with the majority culture and languages. When granting the subsidies, cultural activities are interpreted broadly. In addition to artistic activity, subsidies may be granted, inter alia, for activities for children and the young, to foster and develop the own identity of minority cultural groups, for radio activities in their own language, for clubs strengthening their own cultural identity and for introducing the culture of ethnic minorities to the majority population. One of the criteria for the grants is how well the activities of the applicant will promote gender equality. The appropriation has been used to grant subsidies, inter alia, to associations and work groups arranging activities especially for minority women.

In addition, each year the Ministry of Education allocates a separate appropriation to support the activities of Sámi culture and Sámi organizations. The use of the appropriation is decided by Sámi Parliament. In the last few years, Sámi women have also been more and more active in various cultural projects and associations.

Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:
a) To participate in the elaboration and implementation of development planning at all levels;
b) To have access to adequate health care facilities, including information, counseling and services in family planning;
c) To benefit directly from social security programmes;
d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;
f) To participate in all community activities;

[19] For further statistical information, see "Women and Men in Finland, 2003", Appendix 9.

g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

1. Developing rural areas

The previous report already examined activities implemented with the help of the European Union Structural Funds to develop rural areas. Also in this reporting period, several projects and development programs relating to rural areas have been implemented.

The Finnish Rural Policy Programme was completed in November 2000. It puts forward altogether 108 proposals aiming at developing rural areas and ensuring their viability. This third Rural Policy Programme is called "The countryside for the people – rural policy based on will". The Programme covers the years 2001-2004 and the whole country. The Rural Policy Programme examines Finnish rural areas and all societal means with an effect on changes in rural areas. The goals of the Programme are, inter alia, to balance the population development and to ensure and enhance the viability of rural areas.

The Programme also connects citizens' action and associations to rural development work and adjusts the focus of rural development in different administrative sectors. The Programme contains proposals and measures for numerous parties such as municipalities, village councils, activity groups, provinces, organizations, universities and polytechnics.

The Rural Policy Programme has a Co-ordination Group also including a separate Theme Group for Women. It is a contact network of women working in different tasks in different parts of Finland and it aims at enhancing the female perspective on rural and regional policy. In 2003, the Theme Group of Women will compile the Action Plan of Rural Women. Its aim is to present in different fora (political decision-making, administration, research, the media) issues essential to rural women. The group will also support women-oriented development and entrepreneur projects.

In April 2001, the Government issued a Policy Decision on Rural-Policy Guidelines for 2001-2004. The basis for the Policy Decision is the Rural Policy Programme and the Regional Policy Target Programme issued by the Government a few months earlier. The Rural Policy Programme, inter alia, aims at ensuring a versatile trade network in rural areas and at promoting equality between different population groups.

Article 15

1. States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal

rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Women and men are legally equal in Finland as required by Article 15 of the Convention. Here the Government refers to its earlier reports.

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:
a) The same right to enter into marriage;
b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
c) The same rights and responsibilities during marriage and at its dissolution;
d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; In all cases the interests of the children shall be paramount;
e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation. In all cases the interests of the children shall be paramount;
g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;
h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

1. Reform of family and inheritance legislation

In its recommendations issued on the basis of the earlier reports, the CEDAW Committee has noted that a drawback with regard to Finland is that the property relations of spouses are governed by the law of the country to which the man belonged upon the conclusion of the marriage on the basis of his citizenship.

The Marriage Act was supplemented by new provisions under the Act (1226/2001) which entered into force on 1 March 2002 and they relate to the law applicable to the conclusion of the marriage and the legal relations between the spouses. At the same time, the Marriage Act was supplemented by new provisions on the recognition of a foreign marriage and on the international competency of Finnish courts in issues relating to the legal relations between the spouses. Under the new provisions, the property relations of the spouses are primarily governed by the law of the country in which each spouse has a permanent place of residence after the conclusion of the marriage. In addition, the spouses may, by agreement, decide on the law applicable to the property relations of the marriage.

The CEDAW Committee has also noted as a drawback the fact that, under valid Finnish law, the family-law position of a child is, in the case of a child born in marriage and one born outside marriage, determined in accordance with the law of the country whose citizen the man is. The project list of the Ministry of Justice contains the reform of regulation on paternity questions of an international nature and the purpose is to start the preparation in the next few years.

2. Investigation of paternity

The provisions of the Paternity Act (700/1975) on the establishment and recognition of paternity were amended in the reporting period due to organizational reasons. Since 1 March 2003, the recognition of paternity has been confirmed by the Local Register Office instead of the court. In 2002, the paternity of altogether 21,400 children born out of marriage was confirmed.

3. Agreement on custody of children

The provisions of the Act on Child Custody and Access Rights (361/1983) on the custody of children were not amended in the reporting period. An agreement between the parents on custody has to be concluded in writing. The agreement has to be presented for confirmation to the Municipal Social Board or the court for it to be legally enforceable. In 2002, the Municipal Social Boards confirmed altogether 33,019 agreements on the custody of children. Of these agreements, 91 % related to joint custody. Custody was entrusted to the mother alone in 7 %, and to the father alone, in 1 % of the cases.

Appendices (*available in English for reference purposes only*)

1) Equality Issues in Finland. Ministry of Social Affairs and Health. Equality brochures 2001:2.

2) *Tuula Melkas* : The Gender Barometer 2001. Helsinki 2002.

3) *Markku Heiskanen* and *Minna Piispa*: The costs of violence in a municipality. A case study of violence against women and its costs in the City of Hämeenlinna 2001, based on estimates provided by authority representatives. Ministry of Social Affairs and Health. Reports 2002:16.

4) *Leena Karjalainen*: Nordic-Baltic Campaign Against Trafficking in Women in Finland 2002. Report on an information campaign co-ordinated by the Nordic Council of Ministers. 31.12.2002.

5) Women's Studies and Gender Research in Finland. Evaluation Report. Publications of the Academy of Finland 8/02. Helsinki 2002.

6) Employment Contracts Act (55/2001).

7) Case law on discrimination.

8) Gender Wage Differentials in the Finnish Labour Market. Ministry of Social Affairs and Health. Publications on Equality 2002:2.

9) Women and Men in Finland 2003.